

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

In re:)	
)	
UNITED STATES OF)	
AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No.
)	2:16-CR-00631DAK
AARON MICHAEL SHAMO,)	
)	
Defendant.)	
)	
-----)	

BEFORE THE HONORABLE DALE A. KIMBALL

August 23, 2019

JURY TRIAL

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1 **Salt Lake City, Utah August 23, 2019**

2 **(8:31 a.m.)**

3 THE COURT: Good morning. Are we ready to
4 proceed? The jury is all present.

00:29:29

5 MR. GADD: Mr. Burggraaf is just using the
6 restroom so if we could wait for just one minute for
7 him.

8 THE COURT: We'll wait.

00:29:37

9 MR. GADD: While we have that minute, could I
10 address the court briefly?

11 THE CLERK: Court is in session. You may be
12 seated.

13 THE COURT: Let's get everybody seated first.

00:29:51

14 MR. GADD: I saw that the defense had filed
15 their written motion, um, and my plan is to respond
16 also in writing. I have requested a transcript of
17 part of the hearing on May 29th. The court reporter
18 that day is on a trip with Judge Benson this week so
19 I anticipate when he gets back we'll get a copy of
20 that transcript.

00:30:09

21 THE COURT: All right.

22 MR. GADD: As soon as I can I will respond in
23 writing.

00:30:16

24 THE COURT: All right. Well, Judge Benson, I
25 think, is helping out up in Idaho, isn't he?

1 MR. GADD: Yeah.

2 THE COURT: Some of his staff are with him.
3 Some of the jurors needs to leave today by about 10
4 to 2, so that's when we'll be closing down today at
5 10 to 2.

00:30:33

6 MR. GADD: That will be great. Just as far
7 as scheduling goes, we have just two witnesses left.
8 I anticipate our first witness, Mr. Paz, will take
9 much of the day, perhaps all of the day, and then
10 we'll likely rest on Monday.

00:30:46

11 THE COURT: I suppose it's possible that
12 Mr. Paz would take all of today and part of Monday,
13 is that possible?

14 MR. GADD: Possible.

00:31:00

15 MR. SKORDAS: It's possible. So are you
16 saying you have two witnesses and then you're done?

17 MR. GADD: Yes.

18 MR. SKORDAS: So -- and we know who they are,
19 they have been very good about articulating that. So
20 I assume there is no chance you think that we'll do
21 both today?

00:31:09

22 MR. GADD: Hope springs eternal. I would
23 like to be done today. I would like Mr. Paz before
24 lunch and our last witness, Special Agent Ashment,
25 after lunch. But we'll see how many questions he

00:31:20

1 gets.

2 MR. SKORDAS: But they're both long
3 witnesses, very long.

00:31:34

4 THE COURT: Okay. However long they take,
5 you wouldn't want to start today, I assume, right?

6 MR. SKORDAS: With the defense case?

7 THE COURT: Yes.

8 MR. SKORDAS: We could, but I don't know that
9 we're going to get through.

00:31:44

10 THE COURT: Probably not.

11 MR. SKORDAS: Especially if the jurors want
12 to leave.

13 THE COURT: Yeah 10 to 2. All right.

14 MR. GADD: Thank you.

00:31:51

15 THE COURT: Go get them.

16 THE CLERK: All rise for the jury.

17 (Jury returns to the courtroom.)

18 THE COURT: The government may call its next
19 witness.

00:34:23

20 MR. BURGGRAAF: The United States calls
21 Jonathan Luke Paz.

22 THE COURT: Come forward and be sworn please
23 right up here at the mic.

24 THE CLERK: Please raise your right hand.

00:34:50

25 **JONATHAN LUKE PAZ,**

1 called as a witness at the request of the Government,
2 having been first duly sworn, was examined
3 and testified as follows:

4 THE WITNESS: I do.

00:35:02 5 THE CLERK: Please come around to the witness
6 box here. Please state and spell your name for the
7 record.

8 THE WITNESS: My name is Jonathan Luke Paz,
9 J-O-N-A-T-H-A-N L-U-K-E P-A-Z.

00:35:32 10 THE COURT: You may proceed, Mr. Burggraaf.

11 MR. BURGGRAAF: Thank you, Your Honor.

12 **DIRECT EXAMINATION**

13 BY MR. BURGGRAAF:

14 Q. Good morning Mr. Paz. Thank you for being here.

00:35:38 15 Let's start with some preliminary information. Where
16 do you currently live?

17 A. In New York.

18 Q. And how long have you lived there?

19 A. About four months.

00:35:49 20 Q. Are you currently employed?

21 A. Yes.

22 Q. And what -- where are you employed?

23 A. Um, as -- I sell solar panels.

24 Q. Okay. And did you live in Utah prior to moving
00:36:02 25 to New York?

1 A. I did, yeah.

2 Q. How long did you live in Utah?

3 A. Um, I have been here pretty much my whole life.

4 Q. Okay. Why are you here to testify today?

00:36:14

5 A. Um, just to come clean and tell the truth on the
6 things that I know to be true the things that I did.

7 Q. You know the defendant Aaron Shamo; is that
8 correct?

9 A. I do.

00:36:29

10 Q. Is Aaron Shamo your friend?

11 A. Yeah.

12 Q. How and when did you first meet Mr. Shamo?

13 A. Um, we met roughly eight years ago in Provo at an
14 apartment complex Belmont.

00:36:46

15 Q. How did you meet?

16 A. Um, through mutual friend, Mike Hansen. We were
17 all just over there hanging out playing video games.

18 Q. And in addition to video games, did you get
19 together for any other social-type activities?

00:37:02

20 A. Um, yeah, like afterwards. I mean once we met we
21 would get together and go out on the weekends, go to
22 movies, snowboarding, things like that.

23 Q. At some point did the frequency of the contact
24 with Mr. Shamo increase?

00:37:22

25 A. Um, over the years, yeah. Um, I would -- yeah it

1 did.

2 Q. What precipitated or what was the cause of you
3 getting together more often?

4 A. I mean we just like back -- so I guess I would

00:37:44

5 say, um, we just started hanging out more. He was

6 living in Salt Lake, my girlfriend lived up in Salt

7 Lake, I was up there more often. And so just because

8 he was in the same town, we were closer, um, it was

9 easier to hang out. Before then, I was living in

00:38:04

10 Provo, he was up in Salt Lake, it was a little bit

11 harder to get together because of that.

12 Q. And in the first few years of getting to know

13 Mr. Shamo, did you -- did you form an impression of

14 what type of person he was?

00:38:22

15 A. Yeah, for sure.

16 Q. And what was your impression?

17 A. Um, nice guy, funny guy, um, thought he was a

18 good person for sure, um, and we had a lot of the

19 same interests so we got along.

00:38:40

20 Q. Was he someone that others liked to be around?

21 A. Yeah, definitely.

22 Q. Would you have considered him to be smart?

23 A. Yeah, I think he is a smart guy, yeah.

24 Q. Was he innovative or able to problem solve and

00:38:54

25 think outside the box?

1 A. I would say so, yeah.

2 Q. Do you have an example of that that you remember?

3 A. Um, I mean he was always -- I mean I don't know.

4 He is -- as far as examples go like right now, um, he

00:39:22 5 just seemed to always have a lot to talk about, a lot

6 of interesting things that he was into and liked and

7 that's what I found interesting, you know, about my

8 conversations.

9 Q. Did he ever talk to you about Bitcoin mining?

00:39:37 10 A. Eventually, yeah.

11 Q. What did you discuss about Bitcoin mining?

12 A. Um, basically just what it was, how it worked.

13 Um, it was new to me, I didn't know anything about it

14 and he basically just told me, you know, how the

00:39:59 15 whole process of Bitcoin mining worked.

16 Q. Did he share with you whether he was actually

17 doing any of the Bitcoin mining himself?

18 A. Yeah, he wanted to get started into it and said

19 that he bought some miners and was mining bitcoins.

00:40:17 20 Q. So the jury has heard prior testimony about

21 others being invited to invest or being asked to

22 invest in the Bitcoin mining machines or computers.

23 Were you invited to invest?

24 A. Yeah, at one point that was something that --

00:40:35 25 that was asked and -- or I guess he offered just

1 wanting to invest in Bitcoin mining and thought it
2 was a good opportunity to profit during the time.

3 Q. So did you invest in the Bitcoin mining?

4 A. I did not, no. I didn't end up doing it.

00:40:55

5 Q. Why not?

6 A. Just I mean the miners were pretty expensive and
7 I didn't have, you know, the money to invest into it.

8 Q. At some point did you learn that he was no longer
9 mining Bitcoin?

00:41:12

10 A. Um, yeah, he mentioned that he stopped mining
11 Bitcoins and I think it was just because of the cost
12 with the electricity would go up and I'm not sure the
13 real reason why but he did mention that he stopped
14 mining them.

00:41:35

15 Q. And do you remember about when that was?

16 A. Um, sometime in the year of 2015, I believe,
17 might have been earlier.

18 Q. Throughout the time that you have known
19 Mr. Shamo, have you ever lived with him?

00:41:56

20 A. Yeah, we were roommates in Provo.

21 Q. And how about when he moved up to the Salt Lake
22 area when he had a home on Titian Way. Did you live
23 with him way?

24 A. Where at?

00:42:10

25 Q. On Titian and there are different pronunciations

1 you might call it Titian Way?

2 A. Right. We -- I didn't actually live at that
3 house.

4 Q. Were you a signer on the lease --

00:42:22

5 A. Yeah.

6 Q. -- for that house?

7 A. Yeah, I did sign the lease. Um, the landlord
8 came into town and lived out-of-state so he had
9 mentioned that I was thinking about moving in and the
10 landlord said well to save me a trip if you do decide
11 to move in in the future at some point, I won't have
12 to come back. So why don't you just sign right now
13 while you're here to avoid that trip so I signed.

00:42:34

14 Q. But did you ever actually --

00:42:52

15 A. No, I never moved in and I never lived there.

16 Q. Were you invited by Mr. Shamo to move in?

17 A. Yeah, he wanted me to move in.

18 Q. And why did you decline?

19 A. Um, I -- I just didn't want to move in because of
20 things that were -- that I knew were there and
21 happening. And, um, and I just liked -- I mean I
22 kind of wanted to move back to Utah County I was in
23 Salt Lake so...

00:43:10

24 Q. You mentioned one of the reasons is that you knew
25 about the things that were there and happening. What

00:43:26

1 were those things that were there and happening that
2 you knew about?

3 A. Um, just some of the, you know, the whole
4 operation of what was -- what was going on.

00:43:41 5 Q. What was the operation?

6 A. Just the making of pills and selling on the Dark
7 Web.

8 Q. And how did you learn about that?

9 A. About the --

00:43:59 10 Q. About the making of pills and selling them on the
11 Dark Web?

12 A. Um, he had -- I mean the majority of the things
13 that I was -- that I learned, you know, was by -- was
14 through him.

00:44:16 15 Q. So he told you he was making pills and selling
16 them on the Dark Web?

17 A. Eventually, yeah.

18 Q. Did he ever invite you to participate in that?

19 A. He did.

00:44:28 20 Q. Before we kind of go down that road, did he speak
21 about anyone else who was involved with making and
22 selling pills at that point?

23 A. I'm sorry what was that?

24 Q. At that point, when you learned from Mr. Shamo
00:44:42 25 that he was making and selling pills, did you learn

1 about anyone else who was involved?

2 A. I did, yeah.

3 Q. And who did you learn was also involved?

4 A. Drew Crandall.

00:44:52

5 Q. Let's talk about Drew Crandall a little bit.

6 Before that time had you had the opportunity to meet
7 and get to know Drew Crandall?

8 A. Yes.

9 Q. So where did you first meet Drew Crandall?

00:45:04

10 A. In Provo as well at a mutual friend's house and
11 we were also playing video games.

12 Q. It seems like you met quite a few people playing
13 video games.

14 A. At that point, yeah.

00:45:20

15 Q. Can I ask what video game was it?

16 A. Mainly Mario Kart.

17 Q. Okay. So you meet Mr. Crandall playing Mario
18 Kart. Did you interact with him on more than one
19 occasion over video games or other social activities?

00:45:39

20 A. Not a whole lot. There was -- there was -- I
21 mean an event, there were dances that back in the
22 days of college we would go to and he was there so I
23 do remember that one time. But other than that, no.

00:45:59

24 Q. I asked you earlier when you first met Mr. Shamo
25 if you had formed an impression about the type of

1 person he was. Similar question, did you form an
2 impression after meeting Drew Crandall and having an
3 opportunity to interact with him what type of person
4 he was?

00:46:11

5 A. I did, yeah.

6 Q. What was your impression of him?

00:46:32

7 A. Um, I mean as far as personalities go we were
8 different and had different interests, I mean other
9 than video games that's like the one thing that we
10 had in common. And then I just -- I mean there were
11 -- I just didn't like, you know, the way that he --
12 the things that he talked about mostly. Things that
13 he said.

14 Q. Did you like Mr. Crandall?

00:46:51

15 A. Um, I didn't dislike him, just wasn't somebody
16 that I would associate with on a normal basis.

17 Q. After meeting him initially, did you ever
18 initiate contact with him on your own?

00:47:11

19 A. Um, no. The only time would have been if we were
20 online on a video game.

21 Q. At some point you did have at least a lengthier
22 meeting with Mr. Crandall where he trained you how to
23 use a pill press, correct?

24 A. Correct.

00:47:26

25 Q. Can you tell me how that was arranged?

1 A. He was getting ready to leave to New Zealand and
2 they wanted a replacement to basically take over the
3 -- being the one who was pressing the pills, I guess.
4 And so Aaron asked me to come over and, you know,
00:48:01 5 over, you know, a few weeks or months I eventually
6 went over and I think it was the day that he was
7 leaving to go to New Zealand, or at least moving out
8 of the house that they were at.

9 Q. So Mr. Shamo is the one who initiated that
00:48:16 10 meeting?

11 A. Yeah.

12 Q. And when you showed up to Mr. Shamo's home to be
13 trained how to use the pill press, who was there?
14 Who was present during that?

00:48:28 15 A. Just myself, Drew, and Aaron.

16 Q. After -- well during this meeting, was there
17 discussion amongst all three of you and if so what
18 was it?

19 A. Yeah, there was. It was mainly about how the
00:48:53 20 machine was operated, how it worked, how to use it,
21 and kind of I guess just prepping me if, you know, if
22 that was something that I was going to be doing.

23 Q. And who was giving you the instruction?

24 A. Um, mainly Drew. He seemed to be the one that
00:49:16 25 knew the majority of how the machine worked.

1 Q. And did Mr. Shamo give any sort of direction or
2 instruction?

3 A. Um, I think honestly it was mainly Drew. Um,
4 Shamo was there listening and --

00:49:38 5 Q. Okay. Did you get the impression whether
6 Mr. Shamo at that time knew how the pill press
7 operated?

8 A. Yeah, he -- he knew how the machine operated,
9 yeah.

00:49:47 10 Q. Okay. After Mr. Crandall left the country, did
11 you ever communicate with him directly or indirectly?

12 A. After he left I did not.

13 Q. What was the relationship at that time when you
14 were being trained on the pill press, what was the
00:50:08 15 relationship between Mr. Shamo and Crandall in
16 relation to selling drugs?

17 A. They -- they had been doing it for some time
18 before, before I was ever -- before I even knew about
19 it, before I ever found out about it they had already
00:50:25 20 been selling on the Dark Web and using this machine.

21 Q. Do you know what kind of agreement they had as
22 far as who would do what work and how the money --
23 how people would get paid?

24 A. Do I know? Do I have an idea?

00:50:43 25 Q. Yes.

1 A. Yes. So I think mainly Drew was the one
2 pressing, eventually was the one packaging shipments
3 out and getting them ready to ship out. And I
4 believe Shamo was the main one on the -- on the, I
00:51:06 5 guess, dark net website part of the things, creating
6 the listings and being in charge of that side of it.

7 Q. And do you know how they divided up the drug
8 proceeds when items were sold?

9 A. Um, not 100 percent, but, you know, I heard from
00:51:29 10 him, Mr. Shamo, that it was, I believe, 30 percent,
11 25 to 30 percent was what Drew was getting paid.

12 Q. Okay. Now, you mentioned you were invited to
13 kind of take over pressing pills. At that time, that
14 was around -- that was in 2015; is that right?

00:51:54 15 A. Yes, the end of 2015.

16 Q. And did you have a job at that point?

17 A. I had just come back from a summer of summer
18 sales so I wasn't currently employed during that
19 time.

00:52:14 20 Q. And at some point when you began pressing pills
21 for Mr. Shamo, did you still -- did you have a job at
22 that point?

23 A. Um, it was kind of the same thing. It was -- I
24 was working for a company, Vivint, and going out
00:52:31 25 during the summers. And during the off season, we

1 would do like pre-season trips so we would go out for
2 a week to a different state. So that is the only
3 type of work that I would have been doing during that
4 time.

00:52:49 5 Q. Okay. At some point were you ever invited to
6 receive packages on behalf of Mr. Shamo?

7 A. I was, yeah.

8 Q. When did that occur?

9 A. Um, at the same time. And eventually I did end
00:53:06 10 up -- I did receive a few packages.

11 Q. Did he tell you what was being shipped in those
12 packages that you were receiving?

13 A. Didn't say specifically what was, you know, what
14 each -- or what each package had inside of it, but I,
00:53:22 15 you know, I knew it was probably going to be drugs
16 most likely.

17 Q. How many of those packages do you -- did you
18 receive?

19 A. Um, I am not sure. Probably around five or six.
00:53:39 20 It was at least less than ten.

21 Q. What would you do with the packages when they
22 came to you?

23 A. Um, I would take them to Shamo's house and give
24 them to him.

00:53:51 25 Q. And were you paid for receiving packages?

1 A. Yes, I was.

2 Q. Do you remember how much you were being paid?

3 A. Um, roughly 2- to 300.

4 Q. Who would pay you?

00:54:02 5 A. He would.

6 Q. At any point did anyone else pay you for
7 receiving those packages?

8 A. No.

9 Q. You mentioned that Mr. Shamo invited you,
00:54:15 10 recruited you, to take over pressing pills when
11 Mr. Crandall was leaving the country. Um, can you
12 explain how that discussion went or ongoing

13 discussion went as far as having you press pills?

14 A. Just yeah, that it was an opportunity to, you
00:54:35 15 know, he said that Drew was leaving the country and
16 he needed someone to replace him. Um, I wasn't
17 working at the time and -- and at that point they had

18 -- I believe for the majority they had, you know,
19 they had stopped pressing altogether and, you know,

00:54:58 20 they had some inventory that they were -- I don't
21 know if they were selling it at that point or not,
22 but it was something that, you know, was kind of a
23 future, kind of a plan for in the future.

24 Q. Was this a one time conversation or something
00:55:13 25 that took place over time?

1 A. It was over time. It was over, you know, there
2 was multiple conversations about it.

3 Q. Did you readily accept his invitation to start
4 taking on that role when he -- when he was first
5 inviting you?

00:55:31

6 A. It took, you know, several weeks to actually for
7 me to end up actually doing it.

8 Q. And did you decline at first or did you accept?

9 A. I just was unsure. I didn't know if that like if
10 I wanted to do it.

00:55:52

11 Q. Was there anything that precipitated you actually
12 making the decision to start helping Mr. Shamo
13 manufacture pills?

14 A. I mean there was obviously -- there were a few

00:56:11

15 different thoughts and reasons. In early -- late
16 2015 or early 2016, is when, um, you know he was
17 going to start back up and they had to -- or he had
18 to create a new store front in order to do so. So
19 during that time I was still unsure about it. I was
20 over spending time at his house, we were playing lots
21 of Mario Kart, talking about, obviously, you know,
22 pressing, you know, how much money could be made.

00:56:41

23 And I was still undecided between doing that or going
24 out and selling again for the summer. Um, and you
25 know, eventually, yeah, that the -- so yeah, I mean

00:57:12

1 while I was over there, you know, we talked about it,
2 you know, probably pressed a little bit but I mean I
3 wanted to -- I just didn't really feel good about it
4 I didn't know if I wanted to continue doing it and I
00:57:40 5 was deciding on the other opportunity with Vivint.

6 And then at the same time I found out that my
7 sister had brain cancer. She had a tumor in her
8 brain that she needed to get removed and that was --
9 and I mean I was single at the time, she was married,
00:58:19 10 she has kids, and they told her that she would only
11 have five to seven years left. So that effected me
12 and I just wanted to help her in any way that I could
13 and I think that is the decision that kind of pushed
14 me over the edge to stay home for the summer and work
00:58:45 15 with Shamo and not go out for the summer.

16 Q. Did you discuss this concern, your family's
17 health concern, with Mr. Shamo?

18 A. I did, yeah.

19 Q. And did you discuss your consideration of going
00:59:03 20 and working with Vivint over the summer?

21 A. Yeah, both.

22 Q. And what was Mr. Shamo's response?

23 A. So at that time I needed money I wasn't getting
24 -- I wasn't making anything and I went to the
00:59:22 25 managers at Vivint to, you know, let them know that,

1 you know, like I needed money and to see if they
2 could help me out. So they offered and we made a
3 deal that I would, you know, get an advance of 10,000
4 to go out for the summer. And there is terms for
00:59:41 5 that so that money could at the end of the summer
6 based on sales I would either have to pay that back
7 or if I had 100 accounts then I could keep it and
8 they wouldn't -- they wouldn't dock that off of my
9 back end check. So, um, I told him that, and he --
00:59:58 10 he really wanted me to stay. Um, we had been going
11 to concerts and things and he wanted to have a fun
12 summer and we both wanted to have a fun summer, I
13 just needed to make money and wasn't making money at
14 the time and he did -- he offered to basically pay me
01:00:19 15 that \$10,000.00 and went and grabbed \$10,000.00 in
16 cash and gave it to me, and, you know, that was a lot
17 of money to me at the time, um, and so I stayed.

18 Q. What did you do with that \$10,000.00?

19 A. Well, I used -- I mean I lived off of that as
01:00:44 20 long as I could. Um, what I would have done with the
21 10,000 that I was going to get from Vivint and so
22 that is what I did.

23 Q. Do you know where Mr. Shamo got that \$10,000.00?

24 A. Um, I had an idea. I mean I thought -- I assumed
01:01:10 25 it was from the previous sales that him and Drew

1 had -- had done in the past. I also knew that he,
2 you know, was meeting up with people and trading
3 bitcoins and it could have been from that as well.

01:01:32 4 Q. Okay. So you start pressing pills and describe
5 what the pill press was like?

6 A. Um, it had a big wheel on it that you could turn
7 with your hand. I think it was only there in case of
8 the machine getting jammed but had a single press or
9 single die so it wasn't a rotary one, it was like a
01:01:52 10 single one that would press one pill each time and
11 that's pretty much it.

12 Q. How well did it work?

13 A. It had a lot of complications got jammed quite
14 frequently and didn't make them very fast.

01:02:14 15 Q. Where was this pill press located?

16 A. At his house in the bedroom next to the master
17 bedroom.

18 Q. So when you start pressing the pills, where did
19 the ingredients come from?

01:02:28 20 A. They were -- pretty much already there, and he
21 had other people that he would, you know, that he
22 would send packages to, so the ingredients that was
23 needed, and he would pay them to receive the packages
24 and then they would -- they would meet up somewhere
01:02:48 25 and he would pick up the packages from those people

1 so they would come from multiple sources, I guess,
2 but packages from people that he sent them too.

3 Q. Did you yourselves ever purchase or order the
4 ingredients that were needed?

01:03:05

5 A. No.

6 Q. What were the -- what type of pill was it that or
7 pills did you press initially?

8 A. Initially it was Xanax.

9 Q. And were you the only one that would press pills?

01:03:23

10 A. Um, initially.

11 Q. Initially?

12 A. Initially. I mean I want to say yeah, the
13 majority of it. Um, there were times where he would
14 maybe run the machine if I wasn't there, if he
15 needed, if he needed more pills.

01:03:50

16 Q. How often would you go to Mr. Shamo's home to
17 press pills in the beginning?

18 A. Um, I mean in the beginning I would go over there
19 a lot just we would hang out and play video games, go
20 to the gym. So even if we weren't pressing at the
21 time, you know, I would spend a lot of time over
22 there. But I mean just specifically for pills, in
23 the very beginning when things were getting started
24 up, I mean we weren't pressing a whole lot, so I
25 would say maybe once or twice a week or less.

01:04:07

01:04:24

1 Q. And that once or twice a week how many pills
2 would you press?

3 A. Um, that I am not too sure about. It wasn't very
4 many, 1,000 to 2,000 maybe.

01:04:45 5 Q. And after the pills were pressed, um, what would
6 happen with them?

7 A. Um, we would put them in a bag and then they
8 would get -- he would deliver them to the people that
9 he had packaging them up for him and shipping them.

01:05:09 10 Q. Do you know who those people were that were
11 packaging and shipping?

12 A. I didn't know who they were.

13 Q. Did you learn later who they were?

14 A. Um, I mean he told me, yeah. I knew like they
01:05:25 15 were just -- that they were -- I knew them as the
16 shipping girls. I didn't ever like officially meet
17 them, just met up or saw them I think like only once,
18 once or twice each. They both came over to his house
19 a couple of times but I never really talked -- spoke
01:05:52 20 to them.

21 Q. Would Mr. Shamo tell you when and how many pills
22 were needed?

23 A. Yeah. I mean the -- I mean the idea would be,
24 you know, we would press what they needed, you know,
01:06:11 25 and at that in the beginning stages, um, there

1 weren't a whole lot of orders and so there weren't a
2 whole lot of pills that needed to be pressed and then
3 it was getting bigger and so eventually more and more
4 started.

01:06:31 5 Q. Did you ever or Mr. Shamo ever kind of stockpile
6 extra pills for future orders?

7 A. We tried to with the first machine. I think
8 that's where we ran into issues, we weren't able to
9 keep up with them. But eventually we tried to and it
01:06:52 10 was still hard. But there were times where, um, you
11 know, there was some stocked up.

12 Q. Where would that stock be kept?

13 A. He would -- I mean at his house. But then
14 whether it was that day or the following day they
01:07:16 15 would eventually get delivered to the girls who were
16 packaging them up.

17 Q. So he wasn't keeping the pressed pills at his
18 house for more than a day or two after they were
19 manufactured?

01:07:30 20 A. Yeah, most of the time.

21 Q. And why? Do you know why that was?

22 A. Um, just because they were the ones that were
23 receiving the orders and needed to have the product
24 on hand to be able to ship them and package them
01:07:50 25 package them and ship them.

1 Q. Walk me through the process that you went through
2 to actually manufacture these Xanax or Alprazolam
3 pills?

4 A. The process of manufacturing them?

01:08:06

5 Q. Yes.

6 A. Um, there was -- with those pills they had a --
7 he had already had multiple bags, boxes of like a
8 pre-mixed filler that they bought off a website that
9 already had all of the ingredients mixed. And it was

01:08:30

10 just a white powder and we would, you know, we would
11 measure out whatever -- whatever amount of you know
12 by weight, whatever amount of powder for like the --

13 that you could fill into a mason jar. And then put
14 in the active ingredient, the Alprazolam, and then

01:08:55

15 shake it up, mix it, and then put it into the machine
16 into a funnel that would start pressing the pills out
17 of that powder.

18 Q. So that I can gain some clarity on this, you were
19 essentially putting the inactive ingredients and the
20 active ingredient Alprazolam into a mason jar and
21 then just shaking it?

01:09:18

22 A. In the beginning, yes. And then there were
23 mixers later on that we would put those ingredients
24 in and turn it on and it would just spin for hours at
25 a time.

01:09:35

1 Q. You mentioned earlier that Mr. Shamo was the one
2 operating the website on the dark net or Dark Web.
3 Were you aware of any pills, Xanax pills, were being
4 sold in Utah?

01:09:50 5 A. That happened as well, yes.

6 Q. Tell me about that?

7 A. There was a local guy that he had been dealing
8 with and, you know, before with Drew and they were
9 selling those Xanax pills to that individual and so
01:10:20 10 he would meet up with the same person and sell the
11 Xanax as well.

12 Q. If we can pull up Exhibit 17.06. Do you have
13 that on the screen before you. Do you recognize that
14 individual that you are referencing?

01:10:38 15 A. I do, yeah.

16 Q. And where is he on this chart?

17 A. The second row on the left side says "Kenny"
18 underneath his picture.

19 Q. And at the time, by what name did you know him?

01:10:55 20 A. Chris.

21 Q. And how did you know that these Xanax pills were
22 being distributed in Utah through him?

23 A. How did I know that they were being distributed
24 in Utah?

01:11:12 25 Q. Through Chris?

1 A. Yeah, um, that's just what I was told.

2 Q. By whom?

3 A. Shamo.

4 Q. Did you ever interact with Chris yourself?

01:11:24 5 A. I did not.

6 Q. Were you ever there when pills were being
7 provided to Chris?

8 A. There was a few times, yeah.

9 Q. Tell me about those times?

01:11:40 10 A. So I drove Aaron to either his house or his gym.

11 I would wait in the car while he would go inside
12 either the house or the gym and they would -- he
13 would drop the pills off and then come back outside
14 and then we would talk about whatever and then he
01:12:08 15 would come outside.

16 Q. How many times did you drive Mr. Shamo to meet
17 with Chris for that purpose?

18 A. Probably -- I mean it was a handful. Between 7
19 to 10 times, different times probably.

01:12:26 20 Q. Why was it that you were driving Mr. Shamo?

21 A. At that time he had a DUI and didn't want to
22 drive his car. So I would drive for that purpose.

23 Q. When you were driving him to meet with Chris, do
24 you know how many pills Chris was being provided?

01:12:48 25 A. Um, roughly, you know, on different occasions

1 between 1,000 to 2,000. Um, it was mainly like
2 2,000. I mean the highest was mainly 2,000.
3 Eventually it was more. But in the beginning, it was
4 1,000 or 2,000.

01:13:10

5 Q. When you said that eventually there was more,
6 were more provided to him during any of those times
7 that you were driving Mr. Shamo?

8 A. Most likely. I can't remember exactly. I would
9 say yeah.

01:13:31

10 Q. You mentioned that Mr. Shamo would go into
11 Chris's home or gym. Was there any occasion when you
12 were driving him for this purpose that you observed
13 the actual exchange of pills or money?

01:13:50

14 A. There was one time when he came out of his gym
15 and we were sitting in the car and I think the reason
16 was because he had people in the gym, didn't want
17 them to see something or he was leaving or just
18 rushed, so he came outside himself while we were both
19 still sitting in the car and they made that

01:14:06

20 transaction through the window of the car. That was
21 like when I had seen him.

22 Q. We're going to speak more about Chris in a
23 moment, but if we can first pull up Government's
24 Exhibit 14.19. And if we can go to the second page.

01:14:44

25 Here we're looking at an exhibit that has been

1 admitted that has your name on it. Do you know why
2 your name and Julian Mausia's name would have been
3 included or being shared amongst or with by Mr. Shamo
4 or to Mr. Shamo?

01:15:08

5 A. Um, it just looks like notes from his computer,
6 has a few -- it looks like three addresses on here.
7 An address for Shawn, myself, and for Julian. I
8 think it is just notes. So these are just the
9 addresses of probably where they would -- where he
10 would send the packages to.

01:15:35

11 Q. And I'm sorry because this may be -- that might
12 have not been a great question. Can you -- can you
13 read the portion, the paragraph portion down at the
14 bottom of this.

01:15:48

15 A. Okay. "So these are the best so far. They smoke
16 perfect and they snort and slide. The color being
17 speckled won't fly so that needs to be fixed but you
18 already knew that. My boy smoked two in a row and
19 barely got high, so a bit stronger is going to be a
20 must, bro. But in all, these are f-ing close to
21 being money in the bank man. You did it, bro."

01:16:08

22 Q. Do you recognize the context of that message and
23 who may have sent it?

24 A. Yeah. It is -- it came from Chris.

01:16:25

25 Q. And who was it sent to?

1 A. To Aaron.

2 Q. And what is he referencing?

3 A. The pills that were -- so that they were the
4 fentanyl pressed pills and he is referencing those,
01:16:43 5 yeah.

6 Q. So at some point you transitioned to pressing
7 fentanyl pills in addition to Xanax pills; is that
8 right?

9 A. Yeah.

01:16:56 10 Q. How long after you started helping to press pills
11 did you and Mr. Shamo start pressing pills containing
12 fentanyl?

13 A. How long afterwards?

14 Q. Yes.

01:17:08 15 A. Um, I mean a couple of months but two to three,
16 four months.

17 Q. So by that message, it looks like Chris may have
18 had some interest in you and Mr. Shamo pressing
19 pills; is that right?

01:17:26 20 A. That's right, yeah.

21 Q. Were you made aware before starting to press
22 fentanyl pills, were you made aware of any
23 communications with Mr. Shamo and Chris about
24 pressing pills other than Xanax?

01:17:43 25 A. Yeah. It was basically I believe Chris's idea.

1 He was already or he had been buying those same
2 pills, the fentanyl pressed pills, from another
3 source and I believe wanted to get them at a better
4 price. And so he told Aaron that they would, if he
01:18:14 5 could figure it out or if he could start doing that,
6 that there would be a lot of money to be made.

7 Q. Did you understand what needed to be figured out?

8 A. I did not.

9 Q. So how did -- how did it come about that you and

01:18:33 10 Mr. Shamo started manufacturing fentanyl pills?

11 A. It was just, you know, he told me about it, he
12 told me that, you know, that Chris was the one that
13 mentioned it, that I guess had the idea of Aaron
14 getting started and pressing them so that they could
01:18:58 15 make money together.

16 Um, seemed like he had the most knowledge on
17 it because he had already been buying them from
18 another source. Neither of us knew how to make them,
19 had never been something, you know, it was new.

01:19:19 20 So...

21 Q. Let me back up just a little bit. It sounds like
22 Mr. Shamo had an ongoing relationship of some sort
23 with Chris. Do you know how they were -- how they
24 were introduced or met each other?

01:19:35 25 A. I'm not exactly sure, I think it was through a

1 mutual friend.

2 Q. Do you know who that mutual friend was?

3 A. Um, Miles.

4 Q. And what leads you to believe that Miles may have
01:19:47 5 introduced them to each other?

6 A. Just from one of the conversations that Shamo and
7 I had I remember that.

8 Q. When Mr. Shamo is speaking to you about what
9 Chris is asking for, namely a different kind of pill,
01:20:06 10 was fentanyl the first thing that was mentioned as
11 far as the different kind of pill or was he just
12 hoping for an Oxycodone pill?

13 A. Um, I mean, yeah, he would say you guys should
14 make Roxy's or let's make Roxy's. And I am like what
01:20:27 15 is that? And he explained to me it is like an oxy
16 pill. I'm like how do you make that? Like how are
17 you going to get oxy? And, you know, at that point
18 he said that they -- that he would use fentanyl.

19 Q. And who -- who is he?

01:20:44 20 A. Well, I mean I think that that came from Chris
21 like --

22 Q. It is coming through Mr. Shamo?

23 A. Yeah.

24 Q. Was there any issue with being able to acquire
01:20:56 25 Oxycodone to make the pills that Chris was

1 requesting?

2 A. From what I understood is it was next to
3 impossible to acquire Oxycodone.

4 Q. And what's the basis for that opinion?

01:21:11 5 A. Um, that I am not sure. I mean, um, I mean -- I
6 honestly don't know. Just probably was regulated
7 harder or super hard to just make.

8 Q. Did you try to acquire Oxycodone?

9 A. No. Well, I mean I didn't. So I don't know
01:21:30 10 if --

11 Q. Are you aware if Mr. Shamo tried to acquire or
12 research Oxycodone?

13 A. I don't know that he tried acquiring it. I mean
14 just -- I just -- from what he told me that it was
01:21:43 15 just hard to either make or get.

16 Q. So you and Mr. Shamo have this discussion about
17 creating pills that looked like Oxycodone pills but
18 with fentanyl. Walk me through, after you have had
19 these conversations, walk me through what actions led
01:22:06 20 to actually manufacturing those pills?

21 A. Um, a lot of it was I think Chris just kept on
22 talking about the issue, bringing it up saying hey
23 man, you know, we could make a lot more if you do
24 this, if you make these. And so at that time I mean
01:22:32 25 I don't think that Shamo knew how to do it either so

1 I think I mean we had initially started with making
2 it in the same way that the Xanax was made where we
3 had like the pre-mixed filler and then we would add
4 the active ingredient, fentanyl, mix it up, and
01:22:55 5 basically do it the same way. Add some blue powder,
6 kind of like a dye that would, you know, color the
7 pill blue. And then we would, you know, we made a
8 few batches, gave them to Chris, and we would get
9 feedback from him based off of people who were using
01:23:18 10 them that Chris was giving them to.

11 And then from -- based off of that feedback,
12 we would tweak the way that they were being made so
13 from that slide that was shown, talked about them
14 sliding and smoking and being able to snort them and
01:23:45 15 that was the whole idea of the first -- the first
16 batches that we made they didn't do that from the
17 pre-mixed filler. I guess when they were smoked,
18 snorted, or however they use them in that way, they
19 weren't sliding, they were just burning. And so we
01:24:02 20 had to figure out how to make them slide. And that's
21 -- so yeah, that's -- do you want me to keep going on
22 like the whole --

23 Q. Well, we will pick up there in just a moment.

24 Let me ask you --

01:24:16 25 A. Okay.

1 Q. -- a few questions to kind of unpack what you
2 just described. You mentioned pre-mix. What was the
3 pre-mix?

4 A. I mean I don't know exactly, but it just came
5 pre-made so it was add -- the ingredients already in,
6 you know, the ingredients just to make a pill.

7 Q. Where did that pre-mix come from?

8 A. Um, from online, I'm not sure exactly. I think
9 it was -- it was an online site like Tablet Press
10 Club, something like that. But from what I
11 understand, is Drew is the one that bought those
12 before he left to New Zealand so he had a -- he had a
13 lot of that. Before Drew left he bought like a few
14 boxes and we were able to use that.

15 Q. And we have been talking about trying to make
16 these pills with fentanyl. When you are having these
17 discussions with Mr. Shamo, did you know what
18 fentanyl was before then?

19 A. No.

20 Q. Did Mr. Shamo explain to you what fentanyl was?

21 A. Yeah, um, he explained, you know, what it was and
22 what it did and how it was similar to oxy and said
23 that it was a research chemical and basically that it
24 just would make the same effects of oxy of the, I
25 guess, that drug Oxycodone.

1 Q. Did you, at that time, do anything to verify what
2 he told you or to research fentanyl yourself?

3 A. No, he didn't tell me to research it but he said
4 that it wasn't a controlled substance yet at the time
01:26:02 5 so I did research that to see if it was a controlled
6 substance or not. And I couldn't -- and I didn't
7 research it that in depth. I mean I didn't find
8 anything about it being a controlled substance.

9 Q. So did you do a web search of some sort?

01:26:20 10 A. Yeah.

11 Q. And the results that came up didn't identify it
12 for you as a controlled substance?

13 A. Right.

14 Q. Did it confirm that it was a research substance
01:26:31 15 when you did that search?

16 A. I didn't -- that wasn't confirmed either.

17 Q. Okay. You mentioned that when you were initially
18 making these pills with the pre-mix and adding in the
19 fentanyl, that the pills wouldn't slide. What does
01:26:48 20 that mean?

21 A. I didn't know what that meant either and I found
22 out that that is just how the users would use those
23 pills and they would take a, I guess, a piece of tin
24 foil or a spoon but I'm sure I think it was tin foil,
01:27:03 25 put the pill on it and then light it from underneath

1 until it started smoking, and then they would smoke
2 that smoke. But the pill would end up sliding down
3 the tin foil and not just staying there and burning.

01:27:22 4 Q. So previously you talked about you kind of
5 referenced "we", we would mix the pre-mix or you
6 would take the pre-mix, add fentanyl and make pills
7 but you said "we". Um, did both you and Mr. Shamo
8 make these initial fentanyl pills?

01:27:45 9 A. The initial -- I mean I think it was a combined
10 effort to make the -- to try to get these pills to
11 work and to, you know, so the first batches I'm not
12 sure whether or not, you know, whether we were both
13 doing it at that time. A majority of it was myself.
14 There could have been times where I wasn't there and
01:28:14 15 he may have done it.

16 During the times that the machine was getting
17 jammed, you know, he would help un-jam it and things
18 like that. So initially, you know, when we were
19 trying to figure out how to get the, you know, the
01:28:31 20 right mixture of powder, then yeah.

21 Q. So something you said there, when it would jam he
22 would un-jam it. He had the skill set to be able to
23 get the pill press operating when there was a jam?

24 A. Yeah.

01:28:48 25 Q. Getting the powder right, what issues were you

1 having with the powder when you're trying to make
2 these pills?

3 A. Just -- well first of all, they weren't sliding
4 and they needed to slide and smoke and so that was
01:29:04 5 the main issue. And then -- and then obviously
6 getting the mixture right. Of the inactive
7 ingredients the mixture needed to be created or mixed
8 together so that the pill could hold its form and
9 also slide and that is pretty much it.

01:29:33 10 Q. Now, you mentioned previously the pre-mix was
11 essentially all of the inactive ingredients. Did you
12 find a problem with the pre-mix when you were trying
13 to create these fentanyl pills?

14 A. Just that they wouldn't slide.

01:29:45 15 Q. So did you switch to a different method or --

16 A. Yeah.

17 Q. -- what? What did you do instead of using the
18 pre-mix?

19 A. So he ended up ordering -- he looked up the main
01:29:58 20 ingredients in the real oxy and just ordered like the
21 main four ingredients and we used those ingredients.

22 Q. And you said "he" are you referring to Mr. Shamo?

23 A. Yeah.

24 Q. At some point you figure out how to get these
01:30:19 25 pills right; is that right?

1 A. Yeah.

2 Q. What part of the process did you figure out?

3 A. The mixture of the four inactive ingredients. So
4 just like a good combination of all four of them that
01:30:44 5 would work, when you're talking about the structure
6 of the pill itself without any active ingredient
7 included.

8 Q. So would it be accurate to say essentially the
9 ratio of the different inactive ingredients you
01:31:02 10 figured out a way that the pill would not be too
11 hard, that it would slide, but it would still hold
12 its form?

13 A. Yeah.

14 Q. And that was without the active ingredient?

01:31:14 15 A. Yeah, that was without the active ingredient.

16 Q. So when you figured that out, did you share the
17 ratio, the amounts of inactive ingredients with
18 Mr. Shamo?

19 A. I didn't ever give that to him, he never really
01:31:27 20 asked for it, um, that I can recall. And I didn't
21 ever just say here it is. I was the one that was
22 mainly mixing that mixture together and so I mean if
23 he had the powder that was already mixed that was
24 good enough. I mean he didn't need it.

01:31:50 25 Q. So after you figured out the right amounts of

1 inactive ingredients, were you able to determine how
2 much fentanyl should go in each pill or the mix?

3 A. So he had a program on his computer that Drew
4 made that you would get the -- so you would just use
01:32:15 5 the inactive ingredients, you would make some test
6 pills and he would weigh out 20 of them. So on the
7 program you would know they would -- he would enter
8 in the number of pills, number of test pills, the
9 weight of those test pills, and then that would tell
01:32:37 10 him the amounts -- the amount of the active
11 ingredient to include in the inactive mixture.

12 Q. Did you watch him use this program?

13 A. Yeah. Like most of the time he showed me it.

14 Q. Did he ever let you use that program yourself?

01:32:56 15 A. Um, it wasn't ever -- no. I mean it wasn't ever
16 anything that I asked to do.

17 Q. So any time you were making these fentanyl pills,
18 you could mix the inactive ingredients but you had to
19 go to him to get the right amount -- to determine the
01:33:12 20 right amount of fentanyl to add?

21 A. Yes.

22 Q. When you watched him the once or twice use this
23 program, did he have to put in how much fentanyl he
24 wanted in each pill as part of the calculation?

01:33:26 25 A. I believe so. That I'm unsure about but I

1 believe that would be the case. It was the same
2 program that he used for the Xanax. So we would have
3 to know the dosage that you wanted in those Xanax
4 pills.

01:33:45

5 Q. Did you ever tell him what dosage should go in
6 those pills?

7 A. No. I had no idea.

01:33:59

8 Q. So you get some feedback from Chris and we read
9 some of it. Did you get any other feedback from
10 Chris or was it just the one time?

11 A. There was feedback from Chris throughout the
12 whole -- like the whole time there was.

01:34:16

13 Q. So once you figured out the -- so when you're
14 going through this process, is Chris buying these
15 sample pills? Are you giving him pills? How was he
16 able to give you this feedback?

01:34:36

17 A. Yeah. So we would give him -- he would, you
18 know, want a few hundred, or a thousand. He would
19 give them to, I don't know, some of his -- he put one
20 of them who would use them I guess that had been
21 using them for a while, and they would take them and
22 then report back to Chris and, you know, just let him
23 know if they were -- if they were sliding or not if
24 they smoked, if they were too blue or not blue
25 enough, they were too hard, they would crumble,

01:34:54

1 things like that.

2 Q. Was Mr. Shamo getting feedback from any other
3 source as you guys are trying to figure out these
4 pills?

01:35:08

5 A. Eventually. Once -- once he posted them online
6 then there were people online that were reporting
7 back, kind of the same way giving feedback on the
8 size, color, hardness, maybe even taste. And also
9 providing insight on how to make the pill better,

01:35:37

10 what things could be done to make it better. I guess
11 mimic a real oxy.

12 Q. Did Mr. Shamo ever press pills without you?

13 A. Yeah, there were times that he did.

14 Q. And if he didn't know the right amount of

01:35:57

15 inactive ingredients, how would he do that?

16 A. He would ask me to mix up the inactive
17 ingredients before I left. Like if I was on a work
18 trip or out of town and wasn't going to be able to
19 press and he was going to press, then I would -- I
20 would just basically create or go over and mix the
21 powder, the inactive powders together, and get that
22 ready for him to use to be able to press.

01:36:15

23 Q. If you were preparing these powders for him, did
24 you add the active ingredient fentanyl as well?

01:36:33

25 A. Um, I can't remember if I added that or not. I

1 think there were times that I did, times where I
2 didn't. It was just all about if I had enough time
3 to or not. But I know that I for sure did like
4 the -- the inactive mixture of powders with the blue
01:36:57 5 die included. So once that was all ready, then the
6 last step was to add the fentanyl.

7 Q. Did you ever press these fentanyl pills without
8 him giving you the amount that needed to be added?
9 The amount of active ingredient that needed to be
01:37:20 10 added?

11 A. No, I didn't know that part of it. So once the
12 mixture is made, then -- then I would -- sometimes
13 the machine would be -- needed to be adjusted. That
14 could affect the size of the pill. Or maybe they
01:37:38 15 were a little bit harder so that would effect the
16 weight of the pill because there is more powder being
17 pressed into the pill. So that was the idea. Like
18 every time you -- a new powder was created and/or you
19 know you would always have to continually monitor
01:37:56 20 like the sizing and the adjustments of the machine in
21 order to get the weight. So obviously yeah, so I
22 would test the pills, get the weight of the pills,
23 and then tell him those numbers, text those to him,
24 and then he would send back the amounts that needed
01:38:12 25 to be added.

1 Q. So after you figured out how to make these pills,
2 were they -- did they continue to be sold or were
3 they sold in Utah?

4 A. After -- sorry, what was that?

01:38:30 5 Q. After you figured out and you were pressing these
6 pills containing the fentanyl, were they sold in
7 Utah?

8 A. Yeah. I believe -- yeah, only to Chris, as far
9 as I know. So Chris was the one that was buying them
01:38:47 10 from him, from Shamo, and then he was giving them to
11 whoever or selling them to whoever most likely here
12 in Utah.

13 Q. Did you and Mr. Shamo ever have a discussion
14 about why Chris was the only one in Utah that the
01:39:04 15 pills were being provided to?

16 A. Um, he didn't want -- I mean when they originally
17 started, him and Drew, they were just selling them
18 online and that was to basically hide that so that
19 they wouldn't have to go out and sell to people
01:39:23 20 locally. And so I think it was for that reason that
21 they didn't want to sell to anybody locally.

22 Q. So they would only utilize Chris to do that?

23 A. Yeah, Chris, uh-huh.

24 Q. When you start manufacturing these fentanyl
01:39:42 25 pills, what quantities did you initially start with

1 as far as how often and how many would you make?

2 A. In the beginning?

3 Q. Yes, the beginning with the fentanyl?

4 A. It wasn't many. Um, 1,000 to 2,000.

01:40:04

5 Q. And how often were you -- how often and how many
6 of those pills were being provided to Chris?

7 A. It could have been once a month, maybe once every
8 two weeks in the beginning.

01:40:23

9 Q. And were pills being sold to anyone other than
10 Chris at that point?

11 A. Locally not that I'm aware of.

12 Q. And how about not locally?

13 A. Online.

01:40:40

14 Q. And did you ever help to manage or put listings
15 up online to sell the pills?

16 A. No.

17 Q. How did you know that was taking place online?

01:40:57

18 A. Um, I mean he would tell me about -- he would
19 tell me about it and he showed me those sites like
20 once or twice, um, you know I just kind of wanted to
21 see it. And then there were -- there were a couple
22 of times where I got on the dark net myself on my
23 phone to look at the -- basically see his listings,
24 see the, you know, what he was listing them as and by
01:41:25 25 reading that I was able to know.

1 Q. When you did that, did you have a log-in for the
2 Pharma-Master storefront?

3 A. No. That was just me going on, an honest me as
4 any other person would be able to do.

01:41:43 5 Q. And why did you want to go on and see the listing
6 for the pills?

7 A. Just to verify that they were being sold as what
8 they were and that's what his listing said that they
9 were. Fentanyl pressed oxy's or Roxy's. It said in
01:42:06 10 the listing that it had -- that they were pressed
11 fentanyl that they didn't have oxy. And I wanted to
12 verify that and that's what it did say.

13 Q. So in the beginning were you still pressing these
14 new pills, the fentanyl containing pills, once or
01:42:26 15 twice a week?

16 A. Um, yeah.

17 Q. And how many were you pressing that once or twice
18 a week?

19 A. I'm not sure, I mean a few thousand. A lot of
01:42:45 20 the times it was when the amounts that they -- that
21 he needed to fulfill orders online as well as the
22 amounts that Chris would request. So in the
23 beginning there wasn't much of a stockpile.

24 Q. Did that amount that he needed to press did that
01:43:06 25 change at some point?

1 A. Yeah, once it started getting bigger and they
2 were selling more online and people -- so people
3 could go on -- anybody that bought those, anything on
4 the Dark Web from any vendor could go on and give
01:43:27 5 that vendor feedback on the site itself as well as on
6 Reddit. People who get on Reddit and they could talk
7 about each vendor, experiences. And so, um, yeah
8 those -- did that answer the question?

9 Q. I'm sure you did.

01:43:50 10 A. Okay.

11 Q. Would Mr. Shamo direct you when and how many
12 pills were needed?

13 A. Yeah, just saying, you know, whether it was Chris
14 needs this many or we need this many online, or this
01:44:03 15 person just put in an order for 5,000 or 10,000. He
16 would let me know those instances.

17 Q. And did Mr. Shamo press fentanyl pills on
18 occasion?

19 A. Yeah, on occasion.

01:44:16 20 Q. Were both of you still pressing the Xanax pills
21 at that point?

22 A. No, at that point it was only him that was
23 pressing the Xanax.

24 Q. Why was that?

01:44:26 25 A. Um, because it became an issue to switch the dies

1 out of the one machine, just took -- it was a long
2 process, took a while, and I mean it might even take
3 all day long to get the machine set up again when you
4 switch them back and forth from like a Xanax or from
01:44:53 5 fentanyl or any die if it was different.

6 And so he ended up getting another machine
7 specifically for Xanax just to have one for Xanax and
8 one for the fentanyl pills. And then -- and so he
9 kind of wanted to be the one doing the Xanax.

01:45:22 10 Q. Okay. You talked about how the number of pills
11 are being sold increased. When do you recall was the
12 time where you maybe pressed the most pills in a
13 single week?

14 A. Um, probably in the summer, June, July, August,
01:45:49 15 somewhere around there.

16 Q. And do you remember the amount that you pressed
17 in a single week?

18 A. In a single week, no. Um, it could have been 20,
19 30, 40,000.

01:46:03 20 Q. And as you went into the fall of 2016, did the
21 volume continue to increase?

22 A. I believe so, yeah.

23 Q. So in a single month would you have pressed more
24 than 40,000 fentanyl containing pills?

01:46:22 25 A. That's possible, yeah.

1 Q. We have before you -- I want to point out a
2 couple of Government Exhibits. Specifically there is
3 totes up here that are marked a series of Government
4 Exhibit Numbers 7, 8, 9, and 12.

01:46:48

5 I'm going to point these out to you and then
6 ask you a question related to that. So these three
7 right here (indicating), and I'm going to lift this
8 one up so you can kind of see its contents. Can you
9 see the contents of these ones?

01:47:05

10 A. Not really.

11 Q. So just these top two, can you now see the
12 contents of these two okay?

13 A. Yeah.

14 Q. Okay. And can you see the contents of these ones
15 okay?

01:47:25

16 A. Yeah.

17 Q. Towards the end of pressing pills with Mr. Shamo,
18 about how much time in the fall of 2016 would it have
19 taken you to press the pills that you see in all of
20 these top totes?

01:47:48

21 A. Um, it could have taken an entire month or more.

22 Q. And you mentioned earlier that you would
23 sometimes stockpile the Xanax or Alprazolam pills.
24 Would you sometimes stockpile the pills containing
25 fentanyl?

01:48:13

1 A. Eventually we got -- we were caught up and we
2 were able to, yeah. At one point or maybe a couple
3 of different times we were able to do that, yeah.

4 Q. Would you keep that stockpile or large quantities
01:48:29 5 of those fentanyl containing pills at Mr. Shamo's
6 house for very long?

7 A. I mean there were times where they were there. I
8 mean, after I was there and they were pressed. But
9 then eventually in a day or two they were usually
01:48:44 10 sent to the girls or Chris.

11 Q. Okay. Did you ever have a week or so where you
12 pressed 70,000 fentanyl containing pills?

13 A. Um, it could have happened in a week. Yeah.

14 Q. Did you ever deliver pills yourself to the
01:49:47 15 packaging or shippers?

16 A. There was -- no. I mean there was one time that
17 I took them a bag of something.

18 Q. Did you know what was in the bag?

19 A. I mean, yeah, I knew it was Xanax.

01:50:07 20 Q. And why was it that you took them on that
21 occasion?

22 A. He had an order that needed to be fulfilled that
23 night and shipped out in the morning. Someone had
24 put in an order online.

01:50:23 25 Q. If you only did that on one occasion, then who

1 was taking them every other time?

2 A. Um, he was.

3 Q. I want to show you a few photos that were taken
4 during the execution of Mr. Shamo's home and ask you
01:50:44 5 a few questions about them. If we can pull up
6 Government's Exhibit 13.09 photo 10. Do you
7 recognize this photo?

8 A. Um, yeah.

9 Q. What is it?

01:51:05 10 A. It is the -- down in the room that the pill press
11 was in, there is that big mixer. So that's just the
12 room where the pills were being made.

13 Q. This isn't the original press that you were
14 trained on; is that right?

01:51:21 15 A. No.

16 Q. At what point did Mr. Shamo get this press?

17 A. Um, that one came later on, months after, but I
18 think that is the second press.

19 Q. And when you say the second press, you mean the
01:51:45 20 press after the first one that you were trained on
21 with the big wheel on top?

22 A. The third press in that case then.

23 Q. This would be the third press?

24 A. Yeah.

01:51:53 25 Q. Okay. And before getting this press, did he talk

1 to you about getting it?

2 A. Yeah.

3 Q. Did you have a discussion why he was getting it?

4 A. Yeah. He just wanted to have one press for the

01:52:11 5 fentanyl pills and one press for the Xanax pills.

6 Because I mean like I said, in order to take the dies

7 out and go from pressing one pill to another it was a

8 lengthy process. You had to set up the machine

9 right, they had to be adjusted, size the pressure,

01:52:38 10 taking each die out and putting a new one in took a

11 long time.

12 Q. Did you contribute to the cost of purchasing this

13 press?

14 A. No.

01:52:48 15 Q. Did you order the press yourself?

16 A. No.

17 Q. Is there a reason that it may have come to you

18 and Mr. Shamo in your name?

19 A. Yeah. I mean he -- it was just the same -- for

01:53:06 20 the same reason that he would send other packages to

21 different people. And obviously a package of that

22 size and weight couldn't really send that to anybody

23 else so he sent it to me.

24 Q. Do you know where it came from?

01:53:25 25 A. China, I believe.

1 Q. And when it arrived, was it delivered to your
2 home or some other location?

3 A. Um, a different location.

4 Q. What location was that?

01:53:40 5 A. Um, it was where I was living with my girlfriend,
6 the house that she was living at, Emily Mitchell's
7 home.

8 Q. And once it arrived there, how did it get to
9 Mr. Shamo's house?

01:53:53 10 A. We picked it up using his truck.

11 Q. Was anyone else involved in moving it?

12 A. No.

13 Q. You mentioned that it was -- it was sent to you
14 in a similar fashion as other packages were sent to
01:54:16 15 other people. Does that mean you were paid for
16 having it sent in your name?

17 A. Yeah, I was paid.

18 Q. Do you recall how much you were paid?

01:54:27 19 A. I mean depending on the size of it, two to three
20 to 4,000.

21 Q. Okay. Let's look at Government's Exhibit 13.09,
22 photo 13. Do you recognize the piece of machinery in
23 this photo?

24 A. Yeah.

01:54:42 25 Q. What is it?

1 A. It is the other pill press.

2 Q. And when did Mr. Shamo get this press?

3 A. That was the first one that was purchased after
4 we got rid of the first single die press. So, um,
01:55:08 5 March or April.

6 Q. Did he talk to you before getting this press
7 about getting it?

8 A. Yeah.

9 Q. And how did the discussion go?

01:55:18 10 A. Just that he was thinking about getting a more
11 efficient faster press. The one that we had was
12 having the issues of getting jammed and so that was
13 the reasoning.

14 Q. Who was this press shipped to?

01:55:33 15 A. To me.

16 Q. Did you purchase it?

17 A. No.

18 Q. Why was it shipped to you?

19 A. That same reason. And so that he and I could
01:55:47 20 pick it up in his truck. The same reason of I mean
21 nothing that he was ordering was being sent to his
22 house.

23 Q. In the circumstances of this press, was it you
24 and him who again transported it to his house?

01:56:03 25 A. Yes.

1 Q. And once you got a press into the house, then
2 what, what did you guys do with it?

3 A. Um, we had to figure out how to set it up, it
4 didn't come with any instructions. So they would
01:56:27 5 first send the base of the machine and then the
6 moving parts or the top part of it were like the
7 rotary part of it would come later.

8 Q. The base part, did they always look somewhat
9 similar to the base of this pill press here in the
01:56:43 10 courtroom.

11 A. Yeah, pretty much. I don't think it came with
12 the two rods, only the center one and then later on
13 we attached those two rods.

14 Q. So after you received those parts, other than the
01:57:03 15 base, who was it that would work on getting the press
16 functioning and working right?

17 A. Mainly myself.

18 Q. Did Mr. Shamo help with that as well?

19 A. Yeah. Like in the beginning when we got the
01:57:18 20 first one it was a combined effort.

21 Q. Let's look at Government's Exhibit 13.09, photo
22 11. Do you recognize kind of the setting that's
23 depicted in this photo?

24 A. I do.

01:57:36 25 Q. Is this still in that same press room in

1 Mr. Shamo's house?

2 A. Yes.

3 Q. Can you tell me about some of the items that are
4 showing in this photo? Specifically the items on the
5 table as well as on the shelf?

01:57:48

6 A. Yeah. Those are the mason jars, that's the
7 scale, some rubber gloves, some bags of pills, and
8 that's pretty much it.

9 Q. It looks like --

01:58:05

10 A. Powder in the back.

11 Q. Yeah, that is what I was going to ask about. The
12 powder in the back, do you know what kind of powder
13 that was?

14 A. Um, most likely the microcrystalline cellulose.

01:58:18

15 Q. And why do you say that?

16 A. I just remember it being in a bigger bag. The
17 other powders came -- I mean yeah, the other powders
18 came in smaller bags.

19 Q. So Ms. Laughter, if you can zoom out and zoom
20 back in on the lower shelf there by the table leg.

01:58:33

21 Can you see the item that's there on that shelf?

22 A. Yes.

23 Q. Do you know what type of -- what that item is?

24 A. In the middle?

01:58:49

25 Q. Yes.

1 A. I would guess the lactose or the corn starch.

2 Q. Is that one of the ingredients in the inactive
3 ingredients?

4 A. Yeah.

01:59:03

5 Q. Okay. If we can go to Government's

6 Exhibit 13.09, photo 12. And Ms. Laughter if you can
7 zoom in on that top shelf. Do you recognize what is
8 up there on that top shelf?

9 A. Yeah.

01:59:30

10 Q. And it looks like there is additional bags of
11 powder. Do you know what substance was in those bags
12 of powder?

13 A. I think it was the Alprazolam.

14 Q. Okay. If we can zoom back out and go to

01:59:54

15 Exhibit 13.09, photo 19. Do you recognize this piece
16 of equipment?

17 A. Yes, one of the mixers.

18 Q. And when did -- when did you or Mr. Shamo get
19 this?

02:00:13

20 A. I think it came after or around the same time as
21 the third press for the Xanax. That was mainly used
22 for -- that was only used for the Xanax.

23 Q. Maybe I should also clarify. Did you order this?

24 A. No.

02:00:35

25 Q. Did Mr. Shamo order it?

1 A. Yeah.

2 Q. Who was it shipped to?

3 A. It was shipped to me.

4 Q. Did you get paid for receiving this?

02:00:45 5 A. Yes.

6 Q. Do you recall how much?

7 A. Probably around 2- or 3,000.

8 Q. Let's go to -- well, as opposed to moving on, you
9 also had a smaller version of this mixer; is that

02:01:03 10 right?

11 A. Yeah.

12 Q. And did you get -- did Mr. Shamo get that smaller
13 mixer before or after this one?

14 A. Before.

02:01:11 15 Q. And do you know who that was shipped to?

16 A. To me.

17 Q. And did you -- how much did you receive in
18 payment for receiving that?

02:01:23 19 A. That one I can't remember. A smaller amount, a
20 thousand or less.

21 Q. I want to go to Government's Exhibit 13.09 and
22 look at three photos, 27, 28 and 29.

23 And Ms. Laughter, if you can leave it on the
24 first one for about five or six seconds, scroll to
02:01:42 25 the second one, and then scroll to the third one.

1 Do you recognize the items that are depicted
2 in that photo or those three photos?

3 A. Can you show them to me again. This one, yeah.

4 Q. Ms. Laughter, if you can go back to 27.

02:02:08

5 A. Um, yeah.

6 Q. There is some packaging to the side of this box
7 with some pink on it. Was it common to see this type
8 of packaging in Mr. Shamo's house?

02:02:28

9 A. That was the packaging that they used for like
10 the active ingredient of either fentanyl or
11 Alprazolam. So yeah, I saw it a few times.

12 Q. Ms. Laughter, would you go to the next photo.
13 There is similar packaging but different coloring.
14 Same question. Did you see this type of packaging

02:02:48

15 that had foreign writing on it with powder inside in
16 a separate bag?

17 A. Um, yeah, it's possible. Most likely.

18 Q. Okay. If we can go to Government's
19 Exhibit 13.09, photo 33. Do you recognize this item?

02:03:18

20 A. Um, I mean it looks -- yeah, it looks like a pill
21 press.

22 Q. So the jury has heard testimony that this was a
23 press that was found in a crate in Mr. Shamo's
24 garage. Do you know why he had another press sitting
25 in his garage?

02:03:33

02:03:53 1 A. Yeah. The one -- the one press that was used to
2 press the Xanax, like that center rod seemed to be
3 slightly bent so when it was going around it was
4 making a lot of noise and also getting stuck so it
5 needed a replacement. Or I guess that might be --
6 that looks like it is the machine. But that was the
7 reason for getting a new one.

8 Q. Did you contribute or purchase this press?

9 A. No.

02:04:08 10 Q. Do you know who it was shipped to?

11 A. Shipped to me.

12 Q. Did you receive payment for having it shipped to
13 you?

14 A. Yeah.

02:04:14 15 Q. How much were you paid?

16 A. The same amount, around 2- to 3,000.

17 Q. You mentioned the Xanax press that it may have
18 had an issue with the center rod. Would that cause
19 -- did you observe was this a cause for why powder
02:04:28 20 would spill out around that press or was that --

21 A. I am sure that contributed to it.

22 Q. Was there any other reason why there would be
23 powder all over that press?

02:04:44 24 A. For the speed that it was going at I am sure that
25 it just got thrown off.

1 Q. When you would press the Xanax pills, did you
2 ever use that press?

3 A. I don't think so, no.

4 Q. Okay.

02:04:58

5 A. I mean I probably -- I mean I did help to try to
6 figure out why it was having the issue that it was
7 having.

02:05:18

8 Q. Okay. In respect to pressing pills, Xanax and
9 fentanyl pills, were you aware if Mr. Shamo ever
10 tried to get Mr. Crandall to come back and start
11 pressing pills after he had left the country?

12 A. That I don't know.

02:05:32

13 Q. Do you know if Mr. Shamo was trying to replace
14 you with someone else or get additional help for
15 pressing pills?

02:05:57

16 A. Um, yeah. There was talk about, you know, I -- I
17 didn't want -- I mean I can't remember what he and I
18 spoke about but I was telling him like I'm going to
19 be done on this date. I don't want to do this any
20 more. So he was probably -- he did try to recruit
21 Mario, I believe offered Mario to -- offered that
22 position to Mario.

23 Q. What date did you give him that you wanted to be
24 done?

02:06:13

25 A. I believe we were going to be done by December of

1 that year, end of December or somewhere -- sometime
2 in December. I can't remember exactly.

3 Q. Which year are we talking about?

4 A. 2016.

02:06:26

5 Q. Why did you feel it necessary to give him notice
6 of being done or wanting to be done?

7 A. Just letting him know that if he was going to
8 continue that I wasn't going to be there.

02:06:51

9 Q. Were you aware of Mr. Shamo's plans to expand to
10 another packaging and shipping location in Colorado?

11 A. Not a whole lot. I remember some small talk
12 about it, but he also did mention that he wanted to
13 be done as well. So...

02:07:16

14 Q. Did he give you a date as to when he would be
15 done?

16 A. No. I mean I can't say exactly, but I do think
17 that we kind of both agreed in December we were going
18 to be done.

02:07:26

19 THE COURT: Pick a good stopping point and
20 we'll take our first break.

21 MR. BURGGRAAF: I'll do one more question and
22 then we'll stop.

23 THE COURT: All right.

02:07:34

24 Q. (By Mr. Burggraaf) Were you ever aware of anyone
25 ever dying or getting sick after using the fentanyl

1 pills or Xanax pills?

2 A. There -- in the very beginning we did have a
3 scare from Chris that he believed at that point that
4 it was because of the use of the fentanyl pills and
02:07:56 5 later on, like a week or so later, he reached back
6 out to Shamo and said that that wasn't the cause of
7 her death, it was something else. So that was the
8 only thing -- that was the only time that I had ever
9 heard about. It was obviously a scary moment for the
02:08:16 10 both of us, for everybody and I told him that I was
11 done at that point.

12 And then later on when he told me that Chris
13 had reached back out to him and told him that that
14 wasn't the cause of death and that Chris has big
02:08:39 15 plans and that we -- that I should come back and
16 consider it again because that wasn't what happened.
17 And, you know, that I was going to get paid more.
18 And so I ended up going back because I was told that
19 that wasn't the cause of this individual's death.

02:08:58 20 MR. BURGGRAAF: Okay.

21 THE COURT: Thank you. We'll be in recess
22 for about 20 minutes.

23 (Jury leaves the courtroom.)

24 THE COURT: Thank you. We'll be in recess.

02:30:27 25 (Recess.)

1 THE COURT: Go get the jury and we'll
2 proceed.

3 MR. BURGGRAAF: Your Honor, for
4 clarification, when I said I had one more question I
02:30:42 5 hope you didn't interpret that as meaning I was done.

6 THE COURT: I did not.

7 MR. SKORDAS: I thought he was.

8 MS. BECKETT: I knew better.

9 THE COURT: As did I.

02:31:09 10 THE CLERK: All rise please.

11 (Jury returns to the courtroom.)

12 THE COURT: You may proceed, Mr. Burggraaf.

13 MR. BURGGRAAF: Thank you, Your Honor.

14 Q. (By Mr. Burggraaf) Mr. Paz, we have talked

02:31:49 15 through how you came about to pressing pills with and

16 for Mr. Shamo. I want to take you back to the

17 beginning. You said that you received \$10,000.00 in

18 cash from Mr. Shamo. Was that some form of payment

19 for pills that you were going to press or merely to

02:32:09 20 keep you in Utah to help him press pills?

21 A. It was just to keep me in Utah.

22 Q. So did you and Mr. Shamo come to some other

23 agreement in relation to how much you would be paid

24 for pressing pills?

02:32:27 25 A. Yeah. Originally we agreed on -- that I would

1 get paid 25 percent of the pills that I pressed.

2 Later on that was renegotiated.

3 Q. What was it renegotiated to?

4 A. Maybe not renegotiated but he did want to change
02:32:49 5 that and to a lesser amount.

6 Q. And was it your understanding when you came to
7 that agreement that you were an employee or a full
8 partner of Mr. Shamo's?

9 A. An employee.

02:33:09 10 Q. Did you put anything in writing as far as that
11 agreement?

12 A. No.

13 Q. I would like to have us take a look at
14 Government's Exhibit 22.04. It is on the screen
02:33:24 15 there for you. Do you recognize this screenshot?

16 A. I do.

17 Q. What is it?

18 A. Pills that I had pressed, amounts that he -- that
19 would be owed for the amount of pills pressed based
02:33:44 20 on the 25 percent. And then payment that was -- that
21 I received and where the pills were going as far as
22 to the girls or to Chris.

23 Q. So it looks like at the top of the screen this
24 must be from a phone. And is it from the Notes App
02:34:11 25 in an iPhone?

1 A. Yeah.

2 Q. Is it from your phone?

3 A. Yeah.

4 Q. Why did you feel the need to track the pills that
02:34:21 5 you made and the money owed like this?

6 A. He just wanted me to keep track of the pills that
7 I was pressing specifically to pay me for those
8 amounts. And because I would press pills and then
9 leave them at his house and then maybe that night or
02:34:44 10 in the morning or sometime when I wasn't there he
11 could take them to Chris or the girls. I would just,
12 you know, for my record just keep track of where they
13 were going.

14 Q. It looks like the first date we have up there
02:34:58 15 April 20th and April 21st. At this point, are you
16 tracking Xanax pills or fentanyl pills?

17 A. No, this is just the fentanyl.

18 Q. The 3K in front of April 20th, is that
19 representing the number of pills that you pressed?

02:35:15 20 A. I believe so.

21 Q. And actually, Ms. Laughter, if you'll zoom out
22 momentarily here. It looks like there was -- there
23 is maybe the hint of some other text above that
24 April 20th date. Were you tracking the pills pressed
02:35:31 25 and the amounts owed prior to April 20th of 2016?

1 A. Um, that I'm not sure. I started -- I started
2 tracking these amounts when the fentanyl pills were
3 being pressed so it would have been around that time.

4 Q. You have got a number there total 13.8K. Is that
5 representing 13,800?

6 A. I think so, yeah.

7 Q. And what did you understand the price of the
8 fentanyl pills or the price that Mr. Shamo was
9 selling them for?

10 A. I understood it to be \$5 a pill and so 25 percent
11 of that would be \$1.25.

12 Q. Is that where you got the figure of \$17,250?

13 A. Yeah.

14 Q. If there is only the 3K and the 3.5K showing
15 above, is it fair to say that that 13.8 thousand also
16 included pills that were pressed prior to April 20th?

17 A. Yeah, I think that's for the whole month of
18 April. 13.8 was April's amount.

19 Q. As we go down the page, you have got wording that
20 says "paid \$2,500 June 4th. Paid \$2,500 June 10th."
21 And then you have got written here, "Amazon 1,000,
22 June 10th." What does that mean?

23 A. That I was paid with like an Amazon gift card.

24 Q. Were you often paid in other methods other than
25 cash?

1 A. No, not often. Just mainly cash.

2 Q. And did you know where the cash was coming from
3 that you were paid with?

4 A. It was first Bitcoins and then converted to cash
5 through trading it with another person. So the cash
6 was coming from there.

7 Q. And do you know how -- or were you involved at
8 this stage in June of 2016 in exchanging Bitcoin for
9 cash?

10 A. Um, I had been to a couple of transfers with him
11 personally. Um, he sent me a small amount, probably
12 less than 5,000, I can't remember. 100 percent of
13 where I could do whatever with it, buy a gift card
14 online with it, meet up with somebody with it, and so
15 that would have been my only Bitcoin related
16 transactions.

17 Q. So on the left there there is several other paid
18 and Amazon amounts through June and then you have got
19 monetary amounts on the right side 11,250 owed,
20 7,750, 1,450, 450 owed. Is that just tracking the
21 running total of what you believed you were owed for
22 the pills you had pressed?

23 A. Yeah.

24 Q. Down below you have another total based on pills,
25 a pill count. Is it accurate to say that in May you

1 at least pressed either the equivalent of or
2 somewhere close to 15,600 fentanyl type pills?

3 A. Yup, uh-huh (affirmative).

4 Q. And you felt based on the calculation then that
02:39:19 5 he owed you 19,500 for that amount?

6 A. Right.

7 Q. You have got a couple of other May 10th lines.
8 One that says, "30K girls, one that says 15K Chris."
9 What do those lines mean?

02:39:34 10 A. Um, I believe that 30K went to the girls and 15K
11 went to Chris. I think that's what it means.

12 Q. And is the Chris that's referenced here the same
13 Chris that we were speaking about previously?

14 A. Yeah.

02:40:00 15 Q. And do these numbers reflect purely fentanyl
16 based pills?

17 A. I believe so.

18 Q. Going further down you have got, "June 7th, 15K,
19 Chris; June 9th, 22K total 5K went to girls, 27K; and
02:40:24 20 then June 10th, 60K total 5K went to girls, 65K." Is
21 that -- is it fair to say that the end number for
22 each of those lines, the last two lines, are the
23 amount of pills that you would have pressed either on
24 that date or leading up to that date and then also
02:40:48 25 noting the source of -- or the location of where

1 those pills were taken thereafter?

2 A. I believe so.

3 Q. You mentioned that Mr. Shamo would pay you in
4 cash and also in Amazon gift cards. Why would he use
02:41:08 5 Amazon gift cards to pay you?

6 A. Um, because you could buy them with Bitcoins.

7 Q. Okay.

8 A. And that was the hard part was getting cash from
9 the Bitcoins.

02:41:22 10 Q. How often would Mr. Shamo pay you?

11 A. A few times -- it would depend on the rate that
12 he, you know, that you could meet up with somebody
13 and transfer Bitcoins and receive cash. So that part
14 wasn't frequent. But it could be once or twice a
02:41:45 15 week or it could be once every two weeks, once a
16 month.

17 Q. And how were you using the money that he was
18 paying you?

19 A. How was I using it?

02:41:56 20 Q. Yes.

21 A. Just to live with, buy gas, groceries, that type
22 of stuff. I mean vacations, um, Vegas, gambling.

23 Q. Did Mr. Shamo ever pay you in Bitcoin?

24 A. Yeah.

02:42:19 25 Q. You mentioned the 5,000 amount, was that

1 \$5,000.00 in value of Bitcoin?

2 A. Yeah.

3 Q. Not actually 5,000 Bitcoin, right?

4 A. Right.

02:42:34 5 Q. When did he give you that \$5,000?

6 A. I don't remember that. It was sometime around
7 that time, June, probably June, July. The \$5,000
8 amount, I believe, was around that time.

9 Q. At that, whether it was June or July, whenever
02:42:56 10 you received that \$5,000 worth of Bitcoin, did you
11 already have a Bitcoin wallet?

12 A. No.

13 Q. Was that the first time you opened up your own
14 Bitcoin wallet?

02:43:08 15 A. Yeah.

16 Q. Did you at any point have more than one Bitcoin
17 wallet?

18 A. Yeah.

19 Q. When else did you have a Bitcoin wallet other
02:43:25 20 than the one that this 5,000 worth of Bitcoin was put
21 into?

22 A. There was another time where he sent me like
23 50,000 value, so I don't know how many coins that was
24 to another wallet, and I used that one a little bit.

02:43:46 25 Q. Why did you have a separate wallet when he gave

1 you that amount?

2 A. I think one was on a computer and one was on my
3 phone.

4 Q. What did you use that \$50,000.00 worth of Bitcoin
5 for?

6 A. I didn't use all of it. And of the amount that I
7 did use was like trade somebody at one point for like
8 \$8,000 and then gambled with it on an online Bitcoin
9 gambling site.

10 Q. So tell me about the time when you traded \$8,000
11 worth of Bitcoin. How was that set up? Who was
12 involved?

13 A. There was a site localbitcoins.com that you can
14 meet up with anybody in any state. And so I just
15 messaged one of those individuals in Georgia and met
16 up with them there. I don't know anything about the
17 person, just made the transaction and sent him
18 Bitcoins, got the cash and then that was that.

19 Q. Was that the first time you were ever involved in
20 a Bitcoin for cash exchange?

21 A. I believe so, yeah.

22 Q. And why was it in Georgia?

23 A. I was out there working.

24 Q. What were you doing for work?

25 A. Selling smart home systems.

1 Q. So were you still maintaining a regular job while
2 pressing pills for Aaron Shamo?

3 A. I was trying my hardest to. Yeah.

4 Q. Why?

02:45:35

5 A. I wanted to continue working and wanted my family
6 to know that I was still working. If I just all of a
7 sudden stopped working but I had all this money,
8 questions would be asked and so I wanted to continue
9 working.

02:45:57

10 Q. You mentioned two amounts of Bitcoin that
11 Mr. Shamo transferred to you, one for \$50,000.00
12 worth and one for \$5,000.00 worth each going to
13 different wallets. Were there any other times where
14 Mr. Shamo paid you in Bitcoin?

02:46:16

15 A. Not that I recall.

16 Q. Did you ever open up or establish any other
17 Bitcoin wallet?

18 A. No.

02:46:37

19 Q. And to clarify, what was your understanding as
20 far as where Mr. Shamo was getting the Bitcoins that
21 he provided to you?

22 A. Through the proceeds of the online sales from the
23 pills.

02:46:54

24 Q. Did you have access to those Bitcoin proceeds
25 from the online sales?

1 A. No.

2 Q. Did you know of anyone else who had access to
3 those proceeds other than Mr. Shamo?

4 A. No.

02:47:06

5 Q. Do you know how many cryptocurrency wallets,
6 Bitcoin or otherwise, that Mr. Shamo had?

7 A. No.

02:47:30

8 Q. You mentioned that you set up an exchange
9 Bitcoins for cash in Georgia. Did you -- did you set
10 up an exchange like that on any other occasion for
11 yourself?

12 A. There -- I think yeah, there was one other time
13 that I met with somebody in Utah. Those are the only
14 two times that I had ever done a transaction.

02:47:49

15 Q. And how much was that exchange for, the one that
16 you set up in Utah?

17 A. I think it was less than 1,000. Might have been
18 1,000.

02:48:09

19 Q. After Mr. Shamo had been arrested, you ended up
20 turning over some Bitcoin to law enforcement; is that
21 correct?

22 A. Correct.

23 Q. Though it was quite some time after Mr. Shamo's
24 arrest; is that right?

02:48:17

25 A. Yeah.

1 Q. Did you spend or use the Bitcoin that was left
2 between when Mr. Shamo was arrested and when you
3 finally turned it over?

4 A. That was the 8,000 of it.

02:48:33

5 Q. Did you lose any additional Bitcoin due to
6 gambling?

7 A. Yes.

8 Q. Do you know how much?

02:48:48

9 A. No. I can't remember how -- yeah, I don't
10 remember that.

11 Q. Also after Mr. Shamo had been arrested, sometime
12 after he had been arrested, more than a year, you
13 turned over additional cash to law enforcement; is
14 that right?

02:49:01

15 A. Yes.

16 Q. Where did that cash come from?

17 A. From trading Bitcoins.

18 Q. Your own Bitcoins?

02:49:22

19 A. No. So it was a couple of different transactions
20 from one Bitcoin trader in California and he found us
21 on the local Bitcoin website. And I was the one that
22 was talking to him and met up with him here in Utah
23 and sort of large amounts 2, 300, 400,000 but I
24 didn't have the Bitcoins. Once I got there, I text
02:49:58 25 Shamo, let him know the money is here, he would send

1 the Bitcoins from his computer to their cell phone.
2 Once they received them we would part ways, I would
3 take the money and they would leave. So the majority
4 of that money came from those transactions.

02:50:15

5 Q. When did -- when did those transactions take
6 place?

7 A. Not until the very end, like end of October or
8 early November or about a period of two weeks.

02:50:33

9 Q. Did you have a substantial sum of cash prior to
10 that time on you?

11 A. Not a whole lot.

12 Q. How much do you think you had on hand prior to
13 those Bitcoin transactions?

02:50:49

14 A. I mean at that point I did have some from
15 Bitcoins and I would say 30, 40,000.

16 Q. You mentioned that you would text Mr. Shamo when
17 you were meeting up to make those exchanges. Were
18 these Mr. Shamo's Bitcoins that were being traded?

19 A. Yes.

02:51:14

20 Q. Why was it that you were the one showing up in
21 person and communicating with this individual from
22 California?

23 A. I was the one that had my -- my number on the
24 website localbitcoins.com. They called my number,
25 texted me, I was the one talking to them. And

02:51:33

1 because it was such a large amount, you know, we
2 didn't know if it was law enforcement or what. So it
3 was really risky but I ended up being the one that
4 went out to do that transaction initially.

02:51:56

5 Q. At the time did you think that trading Bitcoin
6 for cash was illegal?

7 A. No.

8 Q. And why were you concerned if it was law
9 enforcement?

02:52:05

10 A. Because it was a large amount and could have been
11 that the people who had those amounts, those large
12 amounts of Bitcoins, could most likely, you know,
13 could have been doing something illegal to get them.

02:52:30

14 Q. So you mentioned 2, 3, 400,000. Do you remember
15 how many times you met with this individual from
16 California to make these exchanges?

17 A. Not for certain, 5 or 6, around that, I think.
18 Maybe close to 5.

02:52:45

19 Q. And were they all that large as far as the value
20 of exchanges?

21 A. They were all significantly large, yeah.

02:53:03

22 Q. When you turned the cash over to law enforcement
23 at the end of the day it was just over \$800,000 in
24 cash. If these were Mr. Shamo's Bitcoins, why did
25 you have that much cash?

1 A. That was from amounts that he -- so the whole
2 time that I was pressing I would press all these
3 pills and we couldn't convert the Bitcoins to cash
4 and so that was the biggest, I guess, issue. Just
02:53:24 5 couldn't find anybody with that amount of money and
6 that often to trade to receive as cash.

7 So when this guy was trading this amount of
8 money, that large sum of money, then he was able to
9 pay me what was owed.

02:53:46 10 Q. So it was actually back wages?

11 A. Yeah.

12 Q. Ms. Laughter, will you pull up the exhibit we
13 were on Government's Exhibit 22.04. This is that
14 note where you're tracking pills and amounts owed.

02:54:05 15 The last dollar figure you have here, which I assume
16 -- am I correct in assuming that that 19,500 is
17 anything that was owed prior to May 10th?

18 A. Yeah, that's about right.

19 Q. So you don't have any additional dollar values
02:54:29 20 further down that page. Did you continue to track
21 the number of pills after June 10th that you had
22 pressed?

23 A. I did, yeah.

24 Q. And did the number of pills you're pressing
02:54:43 25 increase significantly as you went on throughout the

1 summer and into the fall?

2 A. It did.

3 Q. Is that why you had a back amount -- a back
4 amount owed of around \$800,000 or more?

02:54:59

5 A. Yes.

6 Q. Now, there is a bit of time between when
7 Mr. Shamo is arrested and when this exchange happens
8 in the end of October 2016 and November 2016 and the
9 time that you actually turned the money over to law

02:55:21

10 enforcement. How much of the cash that you received
11 from Mr. Shamo, either through these exchanges or
12 otherwise, did you spend during that timeframe?

13 A. I did not keep track of that. I don't know. Um,
14 a few hundred thousand.

02:55:43

15 Q. You spent a few hundred thousand?

16 A. I would say so.

17 Q. What did you spend it on?

18 A. Gambling, just entertainment, trips to Vegas,
19 living expenses.

02:56:03

20 Q. What expenses?

21 A. Living expenses. Just pretty much it.

22 Q. Did you spend any of the money you were earning
23 on family, your girlfriend or fiancée at the time, or
24 anyone else?

02:56:24

25 A. Um, a little bit, yeah.

1 Q. What types of things would you use that money for
2 when you were spending it for your girlfriend,
3 fiancée, or other members of your family?

4 A. Birthday presents, gifts. That's really it.

02:56:48

5 Q. I know it is a difficult subject. You mentioned
6 that your sister had health concerns.

7 A. Yeah.

8 Q. How much money did you help her out with?

02:57:08

9 A. I didn't ever give her any of the money. I
10 wanted -- I mean like I knew I couldn't give her any
11 of the cash that was being, you know, from that,
12 questions would come. And so my initial thought was
13 I wanted to be able to help her out with it obviously
14 in the future and just didn't know how exactly.

02:57:30

15 Um, it would have involved money laundering
16 but I didn't end up giving her any of that money. I
17 did donate to her from the money that I received from
18 Vivint and worked enough that I could but it wasn't
19 anything from any of this.

02:57:50

20 Q. How much did you donate to her from your Vivint
21 job?

22 A. Like 4- or \$500.00.

23 Q. Okay. Is it fair to say that you took some great
24 trips, vacations with Mr. Shamo during the timeframe
02:58:08 25 that you were pressing pills with him?

1 A. We went on some, yeah.

2 Q. What types of trips and vacations did you go on
3 with him?

02:58:22

4 A. We went to Vegas a lot. Within one year it was
5 probably 10 or 15 times. We went on a cruise and
6 California. Um, I think that's it.

7 Q. How about any boating trips?

8 A. Went boating as well.

9 Q. Whose boat was it that I went out on?

02:58:42

10 A. Um, it was a boat that he purchased with some
11 friends. So it was their boat.

12 Q. Of all of these trips, um, were you funding them?
13 Was he funding them? How were they being paid for?

02:59:09

14 A. Um, I mean in the beginning it was, you know, he
15 helped. We had other friends that helped. So the
16 majority of it was from him or others. But later on,
17 when I had more money, I didn't need that any more.
18 So I could --

02:59:27

19 Q. You mentioned that Mr. Shamo with friends bought
20 a boat. Who were the friends that he bought a boat
21 with?

22 A. Um, Roy and Clint.

02:59:42

23 Q. Are they depicted? If we can pull up 7.10 photo
24 6. Do you recognize are Roy and Clint depicted on
25 this chart?

1 A. Yeah, they're the bottom row in the middle
2 Stephens and Perry.

3 Q. How were they involved in this drug trafficking
4 operation?

02:59:53 5 A. Just I don't think they were much. From what I
6 know, they just received some packages.

7 Q. Either in social settings or other settings, did
8 you use any of the drugs you were producing?

9 A. No.

03:00:14 10 Q. Did Mr. Shamo try the pills that you were
11 pressing?

12 A. I would say no.

13 Q. Did you use any other drugs?

14 A. I have used other drugs, yeah.

03:00:28 15 Q. Tell me what drugs you have used?

16 A. Um, I tried MDMA three or four times; cocaine,
17 five or six times; and GHB one time and marijuana.

18 Q. And where did you get these drugs?

03:01:04 19 A. Um, they were always offered to me at clubs or
20 parties. MDMA came from Shamo, cocaine usually came
21 from Shamo, and the GHB came from Shamo.

22 Q. Did you ever use steroids?

23 A. No.

24 Q. Did you ever roofie anyone?

03:01:25 25 A. Um, I ended up technically roofie-ing --

1 roofie-ing myself, my girlfriend and my friend Mark.

2 Q. Let's explain that term. What does roofie mean
3 to you?

03:01:45

4 A. To me it means like putting GHB in somebody's
5 drink and for whatever purpose of them
6 unintentionally knowing maybe.

7 Q. Is that what you did to?

03:02:04

8 A. That is not what I did. I was given GHB to try.
9 He recommended a certain amount. I took that amount.
10 And then we got back to the club and I asked say my
11 girlfriend and Mark if they wanted to try it. They
12 agreed. And I gave them the same amount that I took.

13 Q. You mentioned "he". Who is "he", who is the one
14 that told you the amount to take?

03:02:24

15 A. Shamo, Aaron.

16 Q. Is he the one that provided it to you?

17 A. Yeah.

03:02:38

18 Q. There has been some discussion about the dark net
19 marketplaces including AlphaBay. You said you had
20 actually gone on to the Pharma-Master's storefront.
21 How -- and I believe you mentioned that you accessed
22 that through your cell phone; is that right?

23 A. Yeah.

03:02:51

24 Q. You are somewhat savvy with things related to
25 your cell phone; is that correct?

1 A. Yeah.

2 Q. Um, so where did you acquire your knowledge? How
3 do you become savvy and knowledgeable about how to
4 use your cell phone in a more sophisticated way?

03:03:03

5 A. I just ever since the iPhone came out and I
6 learned that you can jail brake it and change the
7 appearance of it, change the color of the apps,
8 change the theme of the phone, change anything you
9 wanted to, um, just kind of like a hobby an interest

03:03:25

10 that I liked doing. I worked at Verizon, learned
11 more about cell phones there, and it's just something
12 that I liked doing. So...

13 Q. So, um, when I phrased it as, you know, in asking
14 the question, how did you become more sophisticated,
15 by sophisticated that means you would jail brake the
16 phone for the purpose of more or less changing the
17 cosmetics of how the phone appeared and reacted?

03:03:45

18 A. Yeah, exactly.

19 Q. Um, did you use special encryption on your phone
20 or other electronic devices?

03:04:00

21 A. Never like in general used an app that was --
22 that was encrypted to communicate with Shamo and that
23 was the only encryption that I ever had on any phone.

24 Q. You mentioned that you accessed the

03:04:22

25 Pharma-Master's storefront on your phone. How many

1 times did you get on the dark net?

2 A. Like two or three.

3 Q. Did you ever get on it from another device?

4 A. No.

03:04:40

5 Q. If we can pull up Government's Exhibit 22.06,
6 this is two pages. Let's look at this first page
7 here. Do you recognize it?

8 A. I do.

9 Q. What is it?

03:04:53

10 A. Um, it is a thread on Reddit somebody explaining
11 how to basically access the Dark Web on your -- on an
12 IOS device and they just recommend a lot of different
13 tools to do so.

14 Q. You mentioned you accessed the Pharma-Master
15 storefront. What was your reason for doing that?

03:05:24

16 A. Just to verify that the products being sold were
17 being sold as what they were which was pressed
18 fentanyl.

19 Q. And why did you want to verify that?

03:05:40

20 A. I mean just to make sure that the people who were
21 buying those pills specifically knew what they were
22 buying and weren't having surprises, weren't
23 intending to buy a real one that they were hoping had
24 Oxy in it. And so I wanted to be able to clearly see
03:06:06 25 as if I was going to go buy myself that if I was a

1 user I could make that decision seeing that these
2 were pressed with fentanyl. That that was something
3 that I was okay with doing and willing to buy.

03:06:22 4 Q. Was that because you understood there was a
5 difference between Oxycodone and fentanyl?

6 A. Yeah. And also because if I was going to buy
7 anything from any market or anything, I would want to
8 make sure it was 100 percent real and what it was
9 that I was buying and I would want the same for
03:06:46 10 everybody else.

11 Q. Did you ever buy anything from AlphaBay or
12 another dark net marketplace?

13 A. No.

14 Q. There were two desktop computers in Mr. Shamo's
03:07:03 15 home office; is that right?

16 A. Yeah.

17 Q. If we can pull up Government's Exhibit 13.09,
18 photo 31. Had you had the opportunity to observe
19 Mr. Shamo in this office space at his home?

03:07:22 20 A. Yeah.

21 Q. What computer was he normally using when --

22 A. The one on the right.

23 Q. And what was the one on the left for?

24 A. It was just a new computer that he purchased that
03:07:38 25 he ended up -- mainly his girlfriend used that

1 computer. I would use it. We would play Star Craft
2 on it together.

03:07:58 3 Q. And did -- which computer -- do you know which
4 computer Mr. Shamo used to operate the Pharma-Master
5 storefront and process pill orders?

6 A. Yeah, I mean mainly the one on the right.

7 Q. You say "mainly". Did he use the one on the
8 left?

9 A. I don't know if he used the one on the left side.
03:08:09 10 The only one I ever saw him using for those purposes
11 would be the one on the right.

12 Q. So did you have occasion to observe him actually
13 on the dark net and either processing the orders or
14 doing or putting up listings for the pills that you
03:08:22 15 were creating?

16 A. Yeah.

17 Q. And did you ever see the daily order sheet or the
18 orders that came in on a daily basis?

19 A. There was only like once or twice that I can
03:08:37 20 remember or sorry just seeing orders coming in? Like
21 on -- I mean he would tell me about orders like every
22 day. But actually seeing them I don't know if I
23 actually saw those. What I was referring to about
24 the once or twice was just like the addresses of
03:08:56 25 those individuals who had purchased from the

1 storefront.

2 Q. Where did you see those addresses?

3 A. He showed me an e-mail of what they looked like.
4 Like oh look how pretty this is, all these addresses.

03:09:12 5 Q. And was it in an e-mail format or some other
6 format that he showed you in?

7 A. It came through like an e-mail but then you
8 clicked on a file or e-mail and it was just a text
9 file.

03:09:24 10 Q. Okay. Did you ever use the computer that
11 Mr. Shamo used for accessing the dark net?

12 A. No.

13 Q. Did you ever see Drew Crandall access that
14 computer?

03:09:40 15 A. No.

16 Q. Did you actually ever take a role of processing
17 daily order -- daily orders or send daily orders to
18 Tonge and Bustin?

19 A. No.

03:10:02 20 Q. Did you ever ship pills or other drugs to anyone?

21 A. No.

22 Q. You mentioned you used one encrypted app. Do you
23 remember what it was called?

24 A. Telegram.

03:10:14 25 Q. And who did you communicate with using Telegram?

1 A. Just Aaron Shamo.

2 Q. Anyone else?

3 A. That was it.

4 Q. When did you first start using the Telegram App?

03:10:25 5 A. Um, when he told me about it and told me to get
6 it. So in the beginning, probably around January or
7 somewhere around there of 2016, maybe 2015, the end
8 of 2015.

9 Q. When you would communicate with Mr. Shamo using
03:10:48 10 the Telegram App, what was the general subject matter
11 of the messages that you and him would be exchanging?

12 A. It would only be in relation to this. Like we
13 would communicate on a normal text messaging
14 otherwise but it would just be about what time are
03:11:08 15 you coming over, we need to do this, we need to do
16 this, we need to do that. That type of stuff.

17 Q. Let's look at Government's Exhibit 22.08. Do you
18 recognize this screenshot?

19 A. Um, I have seen it.

03:11:28 20 Q. Do you remember receiving these messages from
21 Mr. Shamo?

22 A. Yeah.

23 Q. And I want to stick more to the relevant portions
24 which probably come at the top here. What was
03:11:40 25 Mr. Shamo trying to communicate to you through this

1 messaging?

2 A. He just wanted to know what time I was going to
3 come over to start working again, that's what he
4 means by we can work. He says like it looks like it
03:11:55 5 says something coming at something. And then so
6 come, we can work, and he'll drop off, I think that
7 is supposed to be a comma, we can work and he'll drop
8 off and then the internet will back up soon and there
9 is money to be made.

03:12:13 10 Q. So when he said we can work, what did you take
11 that to mean?

12 A. Like either to start pressing or just do
13 something to -- whether it was mix powders or press
14 pills.

03:12:27 15 Q. Okay. Let's look at Government's Exhibit 22.07.
16 Have you seen this before?

17 A. Yeah.

18 Q. What is it?

19 A. It's just a message from him about things that he
03:12:49 20 is dealing with in regards to sales and costs of
21 things and wanting to renegotiate the amount that he
22 was paying me.

23 Q. Was this a message from Mr. Shamo to you?

24 A. Yeah.

03:13:04 25 Q. How do you know that?

1 A. It looks like it is a picture from my cell phone
2 that was from the Telegram App.

3 Q. Do you remember at some point receiving these
4 specific messages from Mr. Shamo?

03:13:20 5 A. Yeah, I remember that.

6 Q. If you wouldn't mind, if you would please read
7 the messages.

8 A. "So also I'm selling a lot more bulk online.
9 Stuff is moving fast, but it's a huge price drop. I
03:13:34 10 want to discuss this with you when you get back.

11 It's getting down with all of the extras that are
12 being passed out that I'm not making nearly as much
13 as predicted. I'm sure you know this. So probably
14 starting next week I'm giving my shippers an up in

03:13:50 15 pay but I want to cut your pay from a full dollar to
16 75 cents per pill. Not a huge difference. Until I
17 get a bigger shipping team I have to sell bulk and
18 not lower quantities. I want be fair so let me know
19 your thoughts because I'm doing the math and with

03:14:07 20 Bitcoin dropping, extras being passed out and cost of
21 running everything, my cut is getting lower and

22 lower. I want to run some numbers with you. I feel
23 shifty saying this but when we sell 4,000 Roxy at
24 five a pop, they send an extra 1K it actually lowers
03:14:25 25 price to 3.50. If you get a dollar per pill and

1 Bitcoin drops 35 percent, I nearly get what you get
2 but I'm playing employees, drops, I don't know, man,
3 let's sit down and talk and run numbers. I can put
4 prices up, move slower or we can lower prices and
03:14:42 5 move quickly."

6 Q. He mentions at one point get a bigger shipping
7 team. Did you understand what he meant by that?

8 A. No.

9 Q. Had he talked to you about getting a bigger
03:14:54 10 shipping team?

11 A. Um, no, just -- not that I recall.

12 Q. In multiple places he talks about "extras". What
13 did the extras refer to?

14 A. Pretty much every shipment that was sent out
03:15:13 15 would be sent out with extra pills. Um, so like if
16 they ordered 100, they would get 115. They order
17 1,000, they would get 1,100.

18 Q. Why was that happening? Why were extras being
19 included?

03:15:30 20 A. That I'm not really sure. It was just something
21 -- I mean instead of having to count out each pill
22 they were measured by weight and they just wanted to
23 throw in extras to make the buyer's happy.

24 Q. Let's look at Government's Exhibit 14.10. If you
03:15:51 25 will take a look at this, do you recognize a phone

1 number in this screenshot?

2 A. Yeah, my phone number is in the gray.

3 Q. And do you know who the local user is based on
4 the context of the messages?

03:16:06 5 A. I think it is Shamo.

6 Q. And do you remember having this exchange of
7 messages with Mr. Shamo?

8 A. Very vaguely, yeah.

9 Q. Correct me if I'm wrong, but is it fair to
03:16:46 10 summarize this discussion by saying that he is
11 informing you he has got a new iPhone and you're
12 asking him how he is going to use TOR on the iPhone.
13 And he is informing you that he doesn't use TOR to
14 access essentially the Dark Net on his iPhone he only
03:17:08 15 uses the Telegram App on his iPhone. Is that a fair
16 summary of the exchange?

17 A. I believe so.

18 Q. Let's look at Government's Exhibit 14.10. Oh,
19 sorry, that's where we are. Um, I may have the
03:17:29 20 number wrong. Is this a one page exhibit,
21 Ms. Laughter?

22 Let's move on to Government's Exhibit 14.29.
23 And if we can zoom in where it says "body to do" on
24 down to the end of that. This is some data that was
03:17:53 25 retrieved, we have heard testimony about retrieval of

1 data from Mr. Shamo's iPhone, and this is some of
2 that as the testimony has been provided. I want to
3 ask you, um, if you know, if you happen to know what
4 some of these terms mean. Down below it says, three
03:18:15 5 lines up from the bottom, "make blues". Do you know
6 what that was referring to?

7 A. Um, the blue pills.

8 Q. And if we can go to page two. And Ms. Laughter
9 if you will zoom in on kind of the "to do" portion of
03:18:39 10 this. Part way down, just the second line it says,
11 "daily orders". Do you know what that was
12 referencing?

13 A. Um, the getting the daily order info to the
14 girls.

03:19:00 15 Q. And if we can go to Page 3, and if you will just
16 zoom on the message as a whole, the text portion,
17 there's a part here where it speaks to -- it's about
18 two-thirds of the way down it says, "another case
19 where I don't trust Ally's friends and for sure gonna
03:19:29 20 fire Gabby." Did you know who he was referencing
21 when -- by the name Gabby?

22 A. Um, Ally's friend Gabby.

23 Q. What role did she play as it relates to
24 Mr. Shamo?

03:19:44 25 A. Um, from what I know he had her as an assistant

1 to do his grocery shopping, daily tasks, wash his
2 car. Kind of a personal assistant.

3 Q. Okay. And down below the last line says, "Chris
4 owes 95K 10/27." Do you know what that's
5 referencing?

6 A. That's the amount of money that Chris owes for
7 pills that were given to him.

8 Q. Is this the same Chris that you have testified
9 about previously?

10 A. Yeah.

11 Q. If we can speak now about your electronic
12 devices, we talked about your phone. At some point
13 did you turn over your phone to law enforcement?

14 A. Yeah. Well yeah.

15 Q. When did that happen?

16 A. During the raid that they -- when they raided my
17 house.

18 Q. Okay. Did you own an iMac?

19 A. Yeah.

20 Q. What happened to your iMac?

21 A. Um, I took it to my lawyer.

22 Q. When did you do that?

23 A. Before the bust, before the raid happened on my
24 house.

25 Q. If I said to you that the raid occurred in

1 January of 2017, does that sound about right?

2 A. Yeah.

3 Q. So you took your iMac to your attorney. Do you
4 know what happened with it after that?

03:21:26 5 A. He turned it over to the government.

6 Q. Do you know when that occurred?

7 A. Um, not exactly. A few months after that.

8 Q. Okay. If we can pull up the chart from
9 Government's Exhibit 17.06. On this chart, who do
03:21:55 10 you recognize?

11 A. The whole middle row where I'm in. Um, Penrose,
12 Jensen, Mausia, Gleave, Stephens, Perry, and Tebbs.

13 Q. Let's talk about some of these individuals. How
14 do you recognize Ms. Noriega?

03:22:28 15 A. That's Ally's friend.

16 Q. And did she have a role that you were aware of in
17 Mr. Shamo's organization?

18 A. That I'm aware of, no.

19 Q. And I think we have already spoken about the one
03:22:44 20 next to her. Is that the one that you referenced as
21 Chris?

22 A. Yes.

23 Q. Next to Chris, who is that individual?

24 A. Mario.

03:23:01 25 Q. And do know what Mario's role was in Mr. Shamo's

1 drug trafficking organization?

2 A. I think he was answering questions on the
3 website.

4 Q. And how do you know that?

03:23:12 5 A. That is what I was told.

6 Q. Who told you?

7 A. Shamo told me that.

8 Q. Okay. We have got you then next and we've spoken
9 about Mr. Crandall, um, next to that we have got

03:23:26 10 Ms. Tonge. What do you know about her as it relates
11 to this pill operation?

12 A. Tonge and Bustin?

13 Q. Yes.

14 A. Just that they were the ones packaging and
03:23:40 15 getting the packages ready to be shipped.

16 Q. And next to them Mr. Gygi. How did you know him
17 and what role did he have?

18 A. I didn't know him. Just knew that he was the one
19 that would pick the packages up when they were ready,
03:23:57 20 and would drop them off at the blue mailboxes.

21 Q. And how did you know that?

22 A. That's what Shamo told me.

23 Q. Of that row that we have just spoken about, did
24 you recruit any of them?

03:24:13 25 A. No.

1 Q. Did you pay any of them?

2 A. No.

3 Q. Are you aware -- did you actually observe any
4 times when Mr. Crandall paid any of them?

03:24:22 5 A. No.

6 Q. I want to look at that bottom row. You mentioned
7 Mr. Penrose. What role did he play in the pill
8 organization?

9 A. Um, the only thing that I was told is that in the
03:24:42 10 beginning gave him some money to get started.

11 Q. And who told you that?

12 A. Aaron Shamo.

13 Q. Mr. Jensen, do you know what role he played?

14 A. Not 100 percent, but I was also told that he was
03:25:05 15 receiving packages, saw him bring packages over, and
16 get paid for them.

17 Q. Mr. Mausia and Ms. Gleave, do you know what role
18 they played?

19 A. They also were just receiving packages.

03:25:19 20 Q. And Mr. Stephens and Mr. Perry, do you know what
21 role they played?

22 A. Packages as well.

23 Q. And Ms. Tebbs?

24 A. Um, I think she was another personal assistant.

03:25:34 25 Q. Of all of the people that you mentioned that you

1 were familiar with on that bottom row, did you
2 recruit any of them to do anything related to the
3 pill manufacturing or pill distribution?

4 A. No. No.

03:25:47 5 Q. Did you pay any of them?

6 A. No.

7 Q. Did you ever observe yourself -- did you ever
8 observe Mr. Crandall paying any of them?

9 A. No.

03:26:10 10 Q. We can take that down. At any point did you ever
11 contribute your own money to purchase product,
12 ingredients, or supplies?

13 A. No.

14 Q. Did you ever purchase ingredients for pills?

03:26:27 15 Sorry, let me scratch that. Who did buy the supplies
16 and ingredients for pills?

17 A. Um, Drew, I think Ryan Jensen did.

18 Q. They actually purchased items?

19 A. Ingredients?

03:26:46 20 Q. Yes.

21 A. Yeah, like powders and filler powders?

22 Q. How do you know that they made those purchases?

23 A. That is just what Shamo told me.

03:27:00 24 Q. So you never visually saw them actually making
25 those purchases?

1 A. No.

2 Q. If somebody were to see the pill presses and the
3 mixers purchased and your name on it, do you believe
4 that they might come to a conclusion that you
03:27:11 5 purchased those items?

6 A. Yeah.

7 Q. Did you ever observe Mr. Shamo paying anyone for
8 the work that they did.

9 A. Yeah.

03:27:27 10 Q. Who did you observe him paying?

11 A. Brian Jensen, Jessica Gleave and Julian.

12 Q. Who was in charge for listing the products on the
13 Pharma-Master store front on AlphaBay?

14 A. That was something that Shamo did.

03:27:45 15 Q. Who was the leader, or who would you consider
16 your boss when pressing the pills?

17 A. Shamo.

18 Q. Did you ever give directions to anyone else in
19 the pill pressing operation?

03:28:01 20 A. No.

21 Q. Did Mr. Shamo give you directions, what to do,
22 how many pills to press and when?

23 A. Yes.

24 Q. Did Mr. Crandall ever give you directions, what
03:28:16 25 to do, what pills to press, and when?

1 A. No. He just showed me how to use the first
2 machine initially.

3 Q. After Mr. Crandall left the country, are you
4 aware if Mr. Shamo paid him anything?

03:28:33 5 A. Just by what he had told me was Bitcoins. I
6 don't know the amounts.

7 Q. Did Mr. Shamo ever mention anything about a
8 payout or a buyout as it relates to Mr. Crandall?

9 A. I recall something about that. Around 30 or
03:28:55 10 40,000 is what I remember.

11 Q. When you said that Mr. Shamo had paid Crandall
12 Bitcoins while he was out the country, do you know
13 what that was for?

14 A. For his role in what he was doing on the website
03:29:13 15 answering questions.

16 Q. Do you know if his role went beyond answering
17 questions at that point?

18 A. I think that's, to my knowledge, that's all it
19 was.

03:29:29 20 Q. Do you know the amounts that Mr. Shamo would pay
21 Drew Crandall for performing that service?

22 A. I don't.

23 Q. From your perspective, after Mr. Crandall left
24 the country, was he still, Mr. Shamo's partner in any
03:29:52 25 significant way?

1 A. Um, just through the website. Like he wanted to
2 continue in that way so I think because he was out of
3 the country that he was using -- able to still access
4 the website and help out on that side.

03:30:18

5 MR. BURGGRAAF: Okay. If I may have a
6 moment, Your Honor.

7 THE COURT: You may.

03:30:53

8 Q. (By Mr. Burggraaf) In the question I asked you
9 about how the relationship between Crandall and
10 Mr. Shamo after Mr. Crandall had left the country.
11 Um, the helping out, was that just customer service
12 that you're aware of?

13 A. Yeah.

03:31:17

14 Q. I want to jump to about almost a little over a
15 year after Mr. Shamo was arrested. At that point you
16 interviewed with law enforcement multiple times; is
17 that right?

18 A. Yeah.

03:31:29

19 Q. You met with agents from Homeland Security
20 Investigations, HSI, at least three times to explain
21 your role in the distribution of fentanyl, right?

22 A. Yeah.

03:31:50

23 Q. In meeting with HSI agents, you had a little bit
24 of difficulty always giving the full truth, is that
25 fair to say?

1 A. Yeah.

2 Q. And not only that, it took you more than a year
3 after Mr. Shamo had been arrested for you to even
4 start cooperating; is that right? Or did you start
03:32:07 5 cooperating sometime before that?

6 A. I mean I think at that year point is when I was
7 given the option. I mean from the beginning I felt
8 like I was cooperating.

9 Q. Okay.

03:32:26 10 A. Whenever -- whenever I was asked to come in and
11 meet I went in and met.

12 Q. So --

13 A. So like -- I don't know. I feel like I was
14 cooperating from the git-go but obviously it wasn't
03:32:46 15 until after the raid happened and then eventually it
16 was okay now it's time to come in.

17 Q. So when you were given the opportunity to meet,
18 you didn't delay, you just scheduled a time or and
19 went ahead and met with law enforcement; is that
03:33:02 20 correct?

21 A. I believe so.

22 Q. Okay. At the time when you first met with law
23 enforcement you had several Bitcoins that you turned
24 over, right?

03:33:19 25 A. Yes.

1 Q. Do you know how many?

2 A. I think it was like around 33 and something.

3 Q. Were those Bitcoins the remainder you had left of
4 what Mr. Shamo had given you previously?

03:33:36

5 A. Yes.

6 Q. Did you know what the approximate value was of
7 those Bitcoins at the time when you turned them over?

8 A. At the time I think it was about somewhere around
9 200,000.

03:33:51

10 Q. At what point did you turn over cash to law
11 enforcement?

12 A. I can't remember if it was before or after that,
13 but I want to say it was after the Bitcoin, after I
14 turned over the Bitcoins.

03:34:20

15 Q. When you were meeting with law enforcement they
16 asked you about cash that you received; is that
17 right?

18 A. Yes.

03:34:32

19 Q. And the first time they asked you about it, what
20 did you tell them that you did with the cash?

21 A. I was dishonest and I told them that I had thrown
22 it away in multiple garbage cans, gas stations, green
23 garbage cans. I mean it was a lot of money and it
24 was I guess something that I really hadn't thought
25 through. And then it took some time for me to want

03:35:05

1 to come clean completely.

2 Q. When you say it took some time, you met with law
3 enforcement again, right?

4 A. Yeah.

03:35:19

5 Q. Did you delay in meeting with them again or did
6 you schedule an appointment when they wanted to meet
7 with you?

8 A. So I didn't schedule appointments, it was, you
9 know, through my lawyer. And I would just cooperate
10 with whatever, whenever I was supposed to be there.

03:35:31

11 Q. So the next time that you met with law
12 enforcement, you brought something with you, right?

13 A. Yeah.

14 Q. If we can look at Government's Exhibit 16.16,
15 let's just look at photo 1. Is this what you brought
16 with you?

03:35:48

17 A. Yeah.

18 Q. Now, we mentioned approximately \$800,000 was the
19 amount that you turned over previously. Is what's in
20 this duffel bag approximately \$800,000 or something
21 less than that?

03:36:01

22 A. It's less.

23 Q. Did you represent to law enforcement at that
24 point that this was all of the cash that you had?

03:36:14

25 A. Yeah, I did.

1 Q. So you were being dishonest about the amount of
2 cash again or --

3 A. That was the first time that I had been.

4 Q. Okay.

03:36:25

5 A. This was -- so just to clarify, this was the
6 first time that I gave them that amount of money in
7 cash. So that was the -- that was the first time
8 that I was dishonest about that.

03:36:43

9 Q. But in providing them this cash, this wasn't all
10 of the cash that you had from working for Mr. Shamo;
11 is that right?

12 A. Right.

03:36:56

13 Q. Later you met with the Homeland Security
14 Investigation agents again and the subject of cash
15 came up again and what did you tell them?

03:37:21

16 A. I brought more cash with me on that day and we
17 had another discussion about if I had any other cash
18 anywhere. And I made a decision to be honest about
19 it because I did have other cash somewhere and we,
20 after that meeting, we went right down to where the
21 cash was at and I handed it -- handed all of it over.

22 Q. And it was approximately 130,000 or a little
23 more; is that right?

24 A. Yeah.

03:37:36

25 Q. If we can look at Government's Exhibit 16.16

1 photo 3, is this all of the cash that you ended up
2 turning over to law enforcement?

3 A. Um --

4 Q. The last -- the last time, I should say. Is this
5 the cash that was turned over?

6 A. Yeah, the last time, yeah.

7 Q. Are you hiding any more cash or Bitcoin from law
8 enforcement?

9 A. No.

10 Q. Did you have any Bitcoin cash at some point?

11 A. Yeah.

12 Q. And did you turn that over?

13 A. That is inaccessible to me, so no.

14 Q. What do you mean it is inaccessible to you?

15 A. At the time -- so Bitcoin cash from what I
16 understand is it was created from Bitcoins like a
17 branch off Bitcoins. And so anybody that had an
18 amount of Bitcoins would automatically be given
19 Bitcoin cash.

20 So when it became possible to transfer the
21 Bitcoin cash amount that you were given, I
22 transferred that amount to a Bitcoin cash wallet and
23 it was just an app on my phone and then from there I
24 never used any of it, never spent any of it or
25 anything, but they updated -- and I didn't need a

1 password or user name or log-in to access it. The
2 app was updated after and it required a password and
3 a log-in, like a user I.D. and log-in, and I never
4 made one so I couldn't -- had no way of accessing it.
03:39:28 5 So they're still there somewhere.

6 Q. Do you recall the name of the app that you moved
7 these Bitcoin cash --

8 A. I think it was called BTC.com.

9 Q. Since being charged, have you spent a single day
03:39:45 10 in jail?

11 A. I have not.

12 Q. You're aware that Mr. Shamo and Mr. Crandall have
13 both been in jail since they were initially arrested,
14 right?

03:39:54 15 A. Right.

16 Q. So why are you -- why are you not in jail?

17 A. I had a hearing and that was discussed and the
18 court decided that I wasn't a flight risk or a threat
19 to the community.

03:40:17 20 Q. And after that hearing you still had -- directly
21 after it you still had all of that money you hadn't
22 turned it over yet, correct?

23 A. Correct.

24 Q. Why didn't you flee the country or go somewhere
03:40:35 25 where you couldn't be found with all of that money?

1 A. Because it's -- I mean sure I had the thought but
2 it wasn't like a thought that I dwelt on. And once I
3 realized what that would mean, I would never get to
4 come back to the United States, so I would leave my
03:40:56 5 family, I would leave everything here, if I ever did
6 come back go to jail for the rest of my life and live
7 the rest of my life running from that, so I wanted
8 to -- I just wanted to take full responsibility for
9 the things that I did.

03:41:43 10 Q. Mr. Shamo you stated he was -- he is your friend.
11 Since he was arrested, have you communicated with
12 him?

13 A. Yeah, I have.

14 Q. When and under what circumstances did you
03:41:58 15 communicate with him?

16 A. Just through some phone calls that he made.

17 Q. And since his arrest have you provided him with
18 money?

19 A. I sent him some money, yeah.

03:42:15 20 Q. When and how much?

21 A. There were I think two times and I can't quite
22 remember but around 200 every time maybe. Maybe it
23 was 300, maybe it was only 200.

24 Q. Since Mr. Shamo's arrest, has he tried to get you
03:42:36 25 to do anything related to his Bitcoin or Bitcoin

1 wallets?

2 A. No.

3 Q. Did you ever see a letter that had been sent to
4 his girlfriend at the time, Ally Rose, that
03:42:57 5 referenced you and requested you to do anything?

6 A. I did see the letter.

7 Q. And what did that letter state?

8 A. Um, she mainly read it to me but -- and I can't
9 fully remember, something about there being something
03:43:17 10 on the blockchain just wanted the password changed or
11 something.

12 Q. And who did you understand that letter to be
13 from?

14 A. From Shamo.

03:43:28 15 Q. Why are you here testifying today?

16 A. To just testify to the truth of everything that I
17 did and things that I know to be true.

18 Q. Are you hoping to get anything out of it, the
19 mere fact that you're here testifying?

03:43:56 20 A. I'm just wanting to be fully clean and hope to
21 get some credit.

22 Q. Credit towards what?

23 A. Anything. I don't know what's expected. I know
24 what I'm looking at. I know the severity of all of
03:44:21 25 this and just hoping for some credit towards that.

1 Q. You have already pled guilty in your case; is
2 that right?

3 A. Yeah.

4 Q. But as part of your plea agreement you agreed to
5 wait to be sentenced until others in this case have
6 been sentenced, right?

7 A. Yeah.

8 Q. If we can look at Government's Exhibit 23.06. Do
9 you recognize this document?

10 A. It looks familiar, yeah.

11 Q. This is the Statement in Advance of Plea or a
12 Plea Agreement that you entered into on or about
13 December 10th, 2018, isn't it?

14 A. Yeah.

15 Q. Let's look at Page 1 and 2. In this Plea
16 Agreement you agreed and then actually did plead
17 guilty to Count 1 conspiracy to manufacture a
18 controlled substance; right?

19 A. Yes.

20 Q. And also the same for Counts 2 and 3 to plead
21 guilty knowing and intentional adulteration of drugs
22 while held for sale, right?

23 A. Yes.

24 Q. You also pled guilty to Count 4 conspiracy to
25 commit money laundering, right?

1 A. Yes.

2 Q. Do you recall if any counts were dismissed as
3 part of this plea agreement?

4 A. Um, I'm not sure.

03:45:57

5 Q. There is another count mentioned later which
6 we'll address momentarily, but it is not -- but it is
7 not one that is charged. In pleading guilty to the
8 offenses that we have outlined, you admitted to
9 operating the pill press in Mr. Shamo's home helping
10 to develop the recipe and manufacturing pills made to
11 look like Oxycodone pills but that contained
12 fentanyl, right?

03:46:15

13 A. Right.

14 Q. You also admitted to pressing pills containing
15 Alprazolam creating counterfeit Xanax, right?

03:46:27

16 A. Right.

17 Q. You admitted to manufacturing approximately 480
18 fake Oxycodone pills each of which weighed just over
19 100 milligrams; is that correct?

03:46:38

20 A. Yes.

21 Q. You admitted to manufacturing and distribution of
22 approximately 48 kilograms of a mixture or substance
23 containing fentanyl that Shamo paid for; is that
24 right?

03:46:52

25 A. Yeah.

1 Q. I may have misstated earlier, you admitted to
2 manufacturing approximately 480,000 fake Oxycodone
3 pills each of which weighed just over 100 milligrams;
4 is that correct?

03:47:16

5 A. Yeah.

6 Q. You admitted that you deposited cash into your
7 bank even though you knew it represented illegal drug
8 distribution proceeds; is that accurate?

9 A. Um, yeah.

03:47:40

10 Q. Through the Plea Agreement you admitted to
11 turning over drug distribution proceeds of, the first
12 time, \$671,000 or \$671,030.00 and the second time
13 \$134,960.00 in cash, a total of \$805,990.00 in cash
14 as well as just under 33 Bitcoins. Is that correct
15 that you admitted to forfeiting those?

03:48:15

16 A. Yeah.

17 Q. When you entered into this Plea Agreement that's
18 being depicted here, you read through the whole
19 thing; is that right?

03:48:26

20 A. I did.

21 Q. Did you read the part, and if we can turn to
22 Page 5, did you read the part on Page 5 in regards to
23 relevant conduct?

24 A. Yeah.

03:48:41

25 Q. What do you understand that to mean?

1 A. That even with things that I haven't been charged
2 with as of yet, that there still is the possibility
3 that that is going to be taken into consideration.

03:49:15

4 Q. So you weren't charged with distributing pills
5 containing fentanyl that resulted in a death, were
6 you?

7 A. No.

03:49:26

8 Q. But you recognize that that's relevant conduct
9 that the judge may take into account when you're
10 sentenced. You have to answer out loud.

11 A. Yup.

12 Q. How do you feel about the fact that you helped
13 manufacture pills which may have resulted in
14 someone's death?

03:49:47

15 A. Something I am going to have to live with for the
16 rest of my life and I wish I had more knowledge on it
17 when these things were going on. Um, but I feel
18 terrible for it. I mean there is -- it happens every
19 day that people overdose and I just didn't know about

03:50:28

20 -- I mean I just haven't been around that environment
21 and don't really understand what a -- what an
22 addiction does to a person.

03:50:53

23 Q. If we can look at Page 13. As part of the
24 agreement with the United States you agreed to
25 testify truthfully and completely, correct?

1 A. Correct.

2 Q. And if you don't testify truthfully and
3 completely, then you may not get the benefit of
4 testifying truthfully and completely that's outlined
03:51:08 5 in this Plea Agreement?

6 A. Correct.

7 Q. If we can look at the next page. This first
8 paragraph, only paragraph on the page states, "if
9 defendant testifies truthfully and completely, the
03:51:27 10 United States will present the defendant's
11 cooperation for the court's consideration at
12 sentencing pursuant to U.S. Sentencing Guidelines
13 5K1.1. The United States also agrees to not charge
14 the defendant with death resulting violations of
03:51:42 15 Title 21 United States Code Section 841(a)(1) that
16 may arise out of the continuing investigation into
17 overdose deaths tied to Pharma-Master drug sales."
18 Did you read that before signing it?

19 A. I did.

03:52:06 20 Q. Can you summarize why you got involved in
21 manufacturing and distributing such a dangerous drug
22 as fentanyl?

23 A. In the beginning it was in my down time just a
24 way to make money. That wasn't happening and that is
03:52:32 25 why I was still trying to work, still trying to do

1 some summer sales and leave for summer sales and then
2 it took weeks and months to come to the decision.
3 And mainly the reason -- there was multiple reasons.
4 I think the main one was just wanting to help my
03:53:02 5 sister with her illness and that was a way that I
6 justified it.

7 MR. BURGGRAAF: That's all my questions, Your
8 Honor.

9 THE COURT: Thank you. We'll take a recess
03:53:14 10 for 30 minutes and be back about 12:25 or so. Thank
11 you.

12 THE CLERK: All rise, please.

13 (Jury leaves the courtroom.)

14 THE COURT: Court is in recess.

04:25:54 15 (Recess.)

16 THE COURT: We'll get the jury and proceed
17 with the cross-examination.

18 MR. SKORDAS: Yes, we're ready.

19 THE COURT: If you're not done by 10 to 2,
04:28:13 20 then we'll continue it on Monday morning.

21 MR. SKORDAS: Right. Wait, wait, wait. Um,
22 could everyone sit down? Can I have the benefit of
23 the record for a minute?

24 THE COURT: Sure.

04:28:25 25 MR. SKORDAS: We had subpoenaed a young man,

1 one of the people on the chart, who is represented
2 by --

3 THE COURT: You can sit down if you want
4 until the jury comes in.

04:28:37

5 MR. SKORDAS: He is represented by Scott
6 Williams. Who would that be? Miles Penrose. And we
7 just need to make a record. He is going to come in
8 today, as we finish, and make a record, out of the
9 presence of the jury, that he is going to refuse to
10 testify based on his Fifth Amendment privilege. And
11 I just need the record to be clear on that because I
12 don't want to do it in front of the jury obviously.

04:28:54

13 So we may need the benefit of the record for
14 just a few minutes at the end of the hearing.

04:29:07

15 THE COURT: That's fine. It's the jurors
16 that have the problem, not me.

17 MR. SKORDAS: Right, right. Okay. So he
18 thinks he will be here by quarter to two.

04:29:24

19 THE COURT: That's fine. Actually it's not I
20 but nobody pays any attention to the difference
21 between me and I.

22 THE CLERK: All rise for the jury.

23 (Jury returns to the courtroom.)

04:31:06

24 THE COURT: You may proceed with your
25 cross-examination, Ms. Beckett.

CROSS-EXAMINATION

BY MS. BECKETT:

Q. Thank you, Your Honor. Luke, you and Aaron have been friends for some time, correct?

A. Yeah.

Q. How long have you been friends with Aaron?

A. Eight years.

Q. You guys were really close, right?

A. Yeah.

Q. Yes?

A. Yeah.

Q. Have spent a significant amount of time together?

A. Yeah.

Q. You guys hung out at the gym together?

A. Yeah.

Q. Played video games together?

A. Yeah.

Q. Lived together for a while?

A. Yeah.

Q. You guys kind of became close like brothers?

A. I would say so.

Q. I imagine that makes it a little bit difficult for you to come in here today?

A. Yeah.

Q. Do you still consider Aaron a friend?

1 A. You bet.

2 Q. Earlier you testified that you would describe
3 Aaron as somebody who was friendly and fun. Does
4 that sound accurate?

04:32:40

5 A. For sure.

6 Q. Would you describe Aaron as a people pleaser?

7 A. Yeah.

8 Q. Likes to make people happy?

9 A. For sure.

04:32:52

10 Q. Likes to do things for the people he cared about?

11 A. Definitely.

12 Q. I believe you also testified a little bit about
13 Drew Crandall and what kind of person you thought he
14 was. Do you remember that?

04:33:08

15 A. Yeah.

16 Q. Would you describe Drew the same way you would
17 describe Aaron?

18 A. I just don't know Drew on that same level.

19 Q. But I believe your testimony in part was that you
20 didn't really like Drew. Would you say that is
21 correct?

04:33:23

22 A. Yeah.

23 Q. And why were you not a fan of Drew?

24 A. Um, just the few interactions that we had from
25 what I gathered I mean it just wasn't -- the things

04:33:39

1 basically that he talked about and --

2 Q. What kind of things did Drew talk about?

3 A. I mean just conversations. But I can't recall,
4 those were years ago. The conversations I had with
04:33:55 5 him have been very few.

6 Q. When were you first roommates with Aaron?

7 A. Um, probably right around five, six years ago.

8 Q. Is that in Provo?

9 A. Yeah, Provo.

04:34:23 10 Q. Did you guys have another roommate at that time?

11 A. Yeah, a few.

12 Q. Do you remember a roommate named I think it was
13 Mike?

14 A. Yeah.

04:34:33 15 Q. When you and Aaron were roommates in Provo, did
16 either one of you do drugs?

17 A. Aaron and I?

18 Q. Uh-huh (affirmative).

19 A. Not that I recall. I didn't. I don't think he
04:34:52 20 did either.

21 Q. You had a roommate Mike who would drink though,
22 correct?

23 A. Yeah.

24 Q. And he would do drugs, correct?

04:35:01 25 A. Um, yeah.

1 Q. And you guys would make jokes about that, right?

2 A. We did.

3 Q. Because he was trying to hide it you thought it
4 was funny?

04:35:11 5 A. Um, yeah.

6 Q. You have been interviewed multiple times in
7 regards to your testimony today, correct?

8 A. Yeah.

9 Q. July 2nd, 2018, you were interviewed?

04:35:30 10 A. Uh-huh (affirmative).

11 Q. July 3rd, 2018, you were interviewed?

12 A. Yeah.

13 Q. August 7th, 2018, you were interviewed?

14 A. Yeah.

04:35:40 15 Q. November 5th, 2018, you were interviewed?

16 A. Yeah.

17 Q. Were you interviewed any other time?

18 A. Um, I don't believe so.

19 Q. Did you meet with the prosecution at all to
20 prepare for your testimony today?

04:35:55 21 A. Um, yeah.

22 Q. Was that last night?

23 A. We did meet last night.

24 Q. Did you meet with them any other time?

04:36:07 25 A. Um, once about a month ago.

1 Q. Specifically regarding what you were going to be
2 testifying to, correct?

3 A. Um, kind of just an outline of the whole thing,
4 yeah.

04:36:22 5 Q. How long were those meetings?

6 A. First one four or five hours. Last night's was a
7 little bit longer.

8 Q. So a draining experience for you?

9 A. It wasn't too bad.

04:36:46 10 Q. You weren't charged in this case, were you? You
11 were charged separately?

12 A. I'm not sure.

13 Q. Do you have any co-defendants in your case?

14 A. Um, I don't believe so.

04:37:15 15 Q. Do you remember when you were officially charged?

16 A. When I was officially in charge?

17 Q. When you were officially charged with the crimes
18 that you pled to?

19 A. Oh, um, 2017 or sorry --

04:37:34 20 Q. If I represented to you that it was around April
21 of 2018 would that sound correct?

22 A. Yeah, that sounds correct.

23 Q. About a year and a half or almost quite a while
24 after Aaron was arrested, correct?

04:37:53 25 A. Correct.

1 Q. But it was your testimony that agents knew about
2 your potential involvement very early on, correct?

3 A. Yeah.

04:38:12

4 Q. I believe you described that you -- your home or
5 where you were living had been raided in January
6 2017; is that correct?

7 A. Yeah.

04:38:30

8 Q. And you were ultimately charged with conspiracy
9 to manufacture fentanyl, two counts of knowing and
10 intentional adulteration of drugs while held for
11 sale, and conspiracy to commit money laundering?

12 A. Yeah.

13 Q. Do you remember your interview from July 2nd,
14 2018?

04:38:52

15 A. Um, I'm sure I'm familiar with it.

16 Q. If I asked you some questions about that do you
17 think you would be able to answer those?

18 A. I believe so, yeah.

04:39:12

19 Q. Do you remember that you told agents that around
20 the end of 2015 you were recruited to be more
21 involved in this organization?

22 A. That I was recruited to be more involved?

23 Q. Uh-huh (affirmative).

24 A. Yeah.

04:39:24

25 Q. Do you remember telling those agents that were

1 interviewing you that Drew Crandall was the
2 individual in fact who trained you to operate that
3 pill press?

4 A. Yeah.

04:39:34

5 Q. Do you remember telling the agents that Drew
6 Crandall was in fact the individual who instructed
7 you on how to fix the pill press if it became jammed?

8 A. He mentioned it, yeah.

04:39:54

9 Q. Do you remember telling agents that Aaron was
10 present when Drew Crandall was training you?

11 A. Yeah.

12 Q. More specifically, do you remember telling the
13 agents that Drew trained you and Aaron stood by
14 because Aaron I guess didn't know that much about
15 pressing pills?

04:40:09

16 A. Yeah.

17 Q. Do you remember telling agents during that
18 interview that to your knowledge Aaron was not
19 involved in manufacturing any pills containing
20 fentanyl before that time period?

04:40:25

21 A. Yeah.

22 Q. Do you remember telling agents that Drew Crandall
23 even made notes for you and Aaron on how to operate
24 the press before he left the country?

04:40:39

25 A. Yeah.

1 Q. That he created a diagram of sorts?

2 A. I don't know if I ever saw a diagram but --

3 Q. Specific instructions?

4 A. I believe so.

04:40:52 5 Q. Do you remember telling agents that Drew Crandall
6 stayed in contact with Aaron in order to troubleshoot
7 any issues that arose pressing those pills while he
8 was abroad?

9 A. Yeah.

04:41:12 10 Q. I believe you also testified that at a certain
11 point in time you were using the Telegram App to
12 communicate with Aaron; is that correct?

13 A. Yeah, I did.

14 Q. Did you delete that Telegram App from the your
04:41:28 15 phone before you were interviewed by the agents?

16 A. Yeah.

17 Q. So they have never seen the contents of your
18 Telegram App; correct?

19 A. They wouldn't have been able to. Correct.

04:41:42 20 Q. You have been asked a significant number of
21 questions by the prosecution about an individual by
22 the name of Chris Kenny. Do you remember telling the
23 agents during your July 2nd interview that Chris
24 Kenny was in fact the individual who came up with the
04:42:00 25 idea to press fentanyl pills?

1 A. Yeah.

2 Q. That the idea to use fentanyl in general
3 originated with Chris Kenny?

4 A. Yeah.

04:42:13 5 Q. That he wanted you to specifically press fentanyl
6 for local customers?

7 A. Yeah.

8 Q. Do you remember telling agents that Chris Kenny
9 in fact had local connections that would deal to club
04:42:29 10 owners?

11 A. Yeah.

12 Q. Do you remember telling those agents that Chris
13 Kenny, in fact, provided significant feedback
14 regarding the first batch or first round of fentanyl
04:42:44 15 pills that were pressed?

16 A. Yeah.

17 Q. Requested changes?

18 A. Yeah.

19 Q. And you attempted to make those changes to
04:42:53 20 improve those pills for lack of a better word?

21 A. Yeah.

22 Q. Do you remember telling agents that you went so
23 far as to sort of test the different ingredients to
24 make sure that they would slide or crush or had the
04:43:12 25 correct color?

1 A. Yeah. That was referring to the inactive
2 ingredients, yeah.

3 Q. Was that to make the pills more marketable?

4 A. No, that was just me following what I was told to
5 do.

6 THE COURT: Speak up just a little bit.

7 THE WITNESS: Yeah, that was just me
8 following what I was told to do.

9 THE COURT: Thank you.

10 Q. (By Ms. Beckett) What would be the purpose of
11 making the pills slide?

12 A. I didn't know at the time.

13 Q. Do you remember telling agents that Drew Crandall
14 actually created a calculator like program or app in
15 order to determine the amount of active ingredient
16 versus filler ingredients for those pills?

17 A. Yeah.

18 Q. That was an app or program that was used
19 regularly for both pressing the Xanax and fentanyl
20 pills?

21 A. Yes.

22 Q. And that was an integral part of being able to
23 figure out the active ingredient versus the filler
24 ingredient, correct?

25 A. Correct.

1 Q. Could you have pressed those fentanyl pills
2 without that knowledge?

3 A. No.

4 Q. Do you remember telling the agents that you used
5 that particular program to perfect the formula that
6 was ultimately used for those fentanyl pills?

7 A. I said that the program was used for that. I'm
8 not sure that I specified who used it.

9 Q. I believe there was some testimony earlier that
10 you were the individual who was responsible for the
11 amount and formulation of the inactive ingredients in
12 those pills; is that correct?

13 A. Of the inactive ingredient, yeah.

14 Q. Can you make a pill with just an active
15 ingredient and no inactive ingredients?

16 A. No.

17 Q. So, in fact, those pills could not have been
18 pressed without the knowledge that you provided,
19 correct?

20 A. They could have been pressed they just wouldn't
21 meet the requirements that Chris wanted.

22 Q. You testified as well that Drew Crandall not only
23 pressed but also packaged and shipped; is that
24 correct?

25 A. Correct.

1 Q. If we could look at Government's Exhibit 13.09,
2 photo 10, I believe it is, are you familiar with this
3 photo?

4 A. Yeah.

04:46:22

5 Q. I believe it was your testimony that this is a
6 pill press that was shipped to you?

7 A. Yeah.

8 Q. If we could look at, I believe it is photo 13 but
9 I might be wrong on that number, are you familiar
10 with that photo?

04:46:42

11 A. Yes.

12 Q. Is that a pill press that was also shipped to
13 you?

14 A. Yeah.

04:46:50

15 Q. If we could see photo 19. Are you familiar with
16 that piece of equipment?

17 A. Yeah.

18 Q. Is that a V-mixer?

19 A. Yeah.

04:47:02

20 Q. Was that also shipped to you?

21 A. It was.

22 Q. If we could see photo 33. Are you familiar with
23 that photo?

24 A. Yeah.

04:47:16

25 Q. Is that another press that was also shipped to

1 you?

2 A. Yes.

3 Q. And once you received all of these items you
4 helped transport them to the Titian Way address?

04:47:26

5 A. Yes.

6 Q. And placed them in that home to be used for
7 pressing pills?

8 A. Yes.

04:47:44

9 Q. Your testimony is that you yourself had a Bitcoin
10 wallet, correct?

11 A. Yeah.

12 Q. You had two separate Bitcoin wallets?

13 A. I believe so, yeah.

14 Q. One that was no longer accessible.

04:47:55

15 A. That was a separate one so I guess that could be
16 considered a third.

17 Q. So you were knowledgeable in how to use Bitcoin?

18 A. Yeah.

04:48:11

19 Q. I believe you also testified that you engaged in
20 some, what we'll call, peer-to-peer Bitcoin
21 transactions?

22 A. Yeah.

23 Q. Where you met an individual in person and
24 exchanged Bitcoin for cash, correct?

04:48:25

25 A. Correct.

1 Q. Did that on multiple occasions?

2 A. Um, there were multiple occasions where that
3 occurred, yeah.

4 Q. I believe part of your testimony included that

04:48:45

5 your sister was diagnosed with an illness and that

6 was part of your motivation for getting involved with

7 this organization; is that correct?

8 A. That was part of the motivation, yeah.

9 Q. And that you wanted a \$10,000.00 advance from the

04:49:01

10 company that you worked for at the time?

11 A. Yeah.

12 Q. But instead you asked Mr. Shamo for a \$10,000.00

13 advance?

14 A. I didn't ask, he just wanted me to stay and help

04:49:13

15 him so he offered it to me.

16 Q. None of that money went to your sister though,

17 correct?

18 A. Correct.

19 Q. You, in fact, kept that \$10,000.00 for yourself,

04:49:25

20 correct?

21 A. Yeah, correct.

22 Q. If we could look at Government's Exhibit 22.04.

23 Are you familiar with this?

24 A. Yes.

04:49:49

25 Q. Is it your common practice to keep a ledger of

1 all of the pills that you pressed?

2 A. I did keep it.

3 Q. Would you regularly show that to Aaron to let him
4 know how many pills you had pressed?

04:50:02 5 A. No, I didn't show that to him. I sent it to him
6 one time when he asked for it.

7 Q. Is that why this is a screenshot and wasn't taken
8 off of your phone, it was taken off your computer?

9 A. Yeah.

04:50:21 10 Q. You, in fact, were paid for every pill you
11 pressed?

12 A. Um, you could say that.

13 Q. So the more pills you pressed the more money you
14 would make?

04:50:30 15 A. Correct.

16 Q. These amounts that are listed on here, the dollar
17 amounts, how much you thought you were owed?

18 A. Yeah, that's what we had discussed.

19 Q. A dollar-twenty-five a pill?

04:50:42 20 A. Yeah.

21 Q. Can you walk me through the process of making a
22 pill, of pressing a pill?

23 A. Yeah. I mean like from -- from which one, for
24 what one?

04:51:06 25 Q. A fentanyl pill.

1 A. The powder was mixed of inactive ingredients, it
2 was shaken (sic) up in jars, put it into mixers,
3 mixers were turned on, mixed it for a few hours. At
4 that point the fentanyl was added to it and then it
04:51:25 5 was re-mixed for another few hours. And then it was
6 put into the machine to be pressed and to make pills.

7 Q. Would you make those calculations using that
8 calculator app before you put those ingredients
9 together?

04:51:39 10 A. No.

11 Q. When would you use that app?

12 A. I never used the app but the app was used. After
13 the inactive ingredients were mixed, and after they
14 were -- you actually would make test pills, use those
04:52:02 15 test pills, weigh them, and then use the weight of
16 those pills and the number of pills that were tested,
17 those were the numbers you needed to enter into the
18 app.

19 Q. Do you know how much fentanyl was added to those
04:52:22 20 pills?

21 A. I don't.

22 Q. Part of your testimony was that at a certain
23 point in time you may have been the individual who,
24 in fact, added fentanyl to those pills. Do you
04:52:35 25 remember testifying to that?

1 A. Yeah.

2 Q. That could have happened on more than one
3 occasion?

4 A. Yeah.

04:52:41 5 Q. Did you also press Xanax?

6 A. Um, initially, yeah.

7 Q. Did you add the active ingredient to those Xanax
8 pills?

9 A. On a few occasions, yeah.

04:52:54 10 Q. Part of your testimony, I believe, included that
11 you would access the Dark Web yourself and check the
12 Pharma-Master page; is that correct?

13 A. I did that, yeah.

14 Q. And the times you looked at the Pharma-Master
04:53:15 15 page you saw that it mentioned fentanyl as the active
16 ingredient in those pills?

17 A. Yeah.

18 Q. If we could look at Government's Exhibit 23.06.
19 You're familiar with this document, correct?

04:53:43 20 A. Yeah.

21 Q. This is a document that you executed pleading
22 guilty to the charges against you, correct?

23 A. Yes.

24 Q. As a result of a plea agreement between you and
04:53:52 25 the prosecution?

1 A. Yeah.

2 Q. If we could look at Page 5 of that document. If
3 you could just highlight that first paragraph. This
4 states, "I pressed approximately 480,000 fake
04:54:19 5 Oxycodone pills each of which weighed just over
6 100 milligrams. I therefore manufactured and
7 distributed approximately 48 kilograms of a mixture
8 or substance containing fentanyl." Is that correct?

9 A. Yeah.

04:54:36 10 Q. Is your testimony that you made a
11 dollar-twenty-five per pill?

12 A. Yeah.

13 Q. That's roughly \$600,000, correct?

14 A. Correct. Well, yeah.

04:54:50 15 Q. If my math is correct.

16 A. Uh-huh (affirmative).

17 Q. Which it might not be so you can double check me
18 on that. But when you were interviewed by the agents
19 in this case, you ultimately turned over over

04:55:05 20 \$800,000 in cash, correct?

21 A. Correct.

22 Q. And you agreed that the money you turned over at
23 that point in time were the proceeds from this
24 organization, correct?

04:55:21 25 A. Correct.

1 Q. And that was turned over in July and August
2 of 2018, does that sound right?

3 A. Yeah.

04:55:41

4 Q. Coming up on two years after this organization
5 had been shut down?

6 A. Yeah.

7 Q. Did you spend any of that money in the two years
8 between now and then?

9 A. Very little, but yeah.

04:56:01

10 Q. I believe part of your testimony is also that
11 during the course of your involvement with this
12 organization you had spent quote several hundred
13 thousands of dollars, does that sound correct?

14 A. Yeah.

04:56:13

15 Q. Safe to say that you made or had at some point in
16 time in your possession over a million dollars?

17 A. I don't know if that was ever in my possession,
18 but the bulk of that didn't come until the last few
19 weeks.

04:56:28

20 Q. You had \$800,000.00 last year and your testimony
21 is that you had spent over several hundred thousands
22 of dollars?

23 A. From the time of when I had started, so during
24 like the whole year, yeah.

04:56:46

25 Q. How old are you?

1 A. 31.

2 Q. How old were you when you became involved with
3 this organization?

4 A. 27, 28, around there.

04:57:00 5 Q. Would you say that's a good amount of money to
6 make for a 27, 28 year old?

7 A. Yeah.

8 Q. If we could go back to that 23.06 Exhibit. Is
9 your understanding that by entering into this
04:57:22 10 agreement you may ultimately curry some sort of favor
11 at sentencing?

12 A. I don't know what the guidelines are, just that
13 there are guidelines.

14 Q. Is it your intention to receive cooperation
04:57:34 15 credit towards your sentencing by testifying?

16 A. I think I mentioned earlier that by doing
17 cooperating not -- yeah cooperating but mainly
18 testifying of the truth that some credit would be
19 given, yeah.

04:57:49 20 Q. And that you also wouldn't be charged with what
21 we will refer to as the death resulting count?

22 A. That's in there too.

23 Q. Who determines whether or not you testified
24 truthfully today?

04:58:02 25 A. Um, I believe the jury. I'm not positive on

1 that.

2 Q. Who is ultimately going to give you credit at
3 sentencing for your testimony today?

4 A. That I'm not sure. The judge I'm sure.

04:58:25 5 Q. But it is your testimony that you also haven't
6 spent any time in jail on these charges?

7 A. Right.

8 Q. You had a detention hearing in June of 2018,
9 correct?

04:58:36 10 A. Correct.

11 Q. And you were released?

12 A. Correct.

13 Q. Is that because the government stipulated to your
14 release at that point in time?

04:58:48 15 A. It was just a decision by the court.

16 Q. The government didn't agree that it was okay for
17 you to be released?

18 A. I am not sure on that.

19 Q. What have you been doing for the last two and a
04:59:11 20 half years?

21 A. Got married and I have been working.

22 Q. Just living your life?

23 A. Trying to.

24 Q. Your time involved in this particular drug
04:59:48 25 trafficking organization didn't in fact really

1 overlap with Mr. Crandall's presence here in this
2 country, did it?

3 A. Um, no, I don't think so.

4 Q. He trained you and then left, correct?

05:00:04

5 A. Right.

6 Q. So you wouldn't be fully aware of what his
7 involvement might have been while he was out of the
8 country, correct?

9 A. Yeah, correct.

05:00:13

10 Q. And you also wouldn't have knowledge of who
11 Mr. Crandall had recruited before you were involved,
12 correct?

13 A. Correct.

14 Q. You also wouldn't know who perhaps Mario Noble
15 had recruited, correct?

05:00:25

16 A. Correct.

17 Q. Or Alex Tonge?

18 A. Correct.

19 Q. You also wouldn't know if Mr. Crandall had
20 personally paid people, correct?

05:00:37

21 A. I wouldn't know that.

22 Q. Same for Ms. Tonge?

23 A. Correct.

24 Q. Same for Mr. Noble?

05:00:48

25 A. Correct.

1 Q. You interviewed with agents on multiple occasions
2 and there has been a lot of questions about whether
3 or not you were truthful when you were first
4 interviewed. Why were you initially not truthful
05:01:16 5 with the agents?

6 A. Um, I was scared. I was -- I wasn't even
7 initially truthful with my lawyer. I didn't tell him
8 that I had the money and he found out later and it
9 was a dumb decision but I was able to realize that it
05:01:42 10 wasn't something that I wanted to hang on to and
11 wanted to turn it over.

12 Q. I believe you testified that you welcomed the
13 opportunity to interview with agents and finally come
14 clean; is that correct?

05:01:55 15 A. That I welcomed the opportunity?

16 Q. Uh-huh (affirmative).

17 A. It was something that I wanted to do.

18 Q. But you did want to have counsel present with
19 you, correct?

05:02:05 20 A. I had already had counsel before the bust, before
21 they raided my home, earlier on.

22 Q. After Mr. Shamo was arrested?

23 A. Yeah.

24 Q. If we could look at Government's Exhibit 22.07.

05:02:33 25 Are you familiar with this?

1 A. Yeah.

2 Q. It appears here that there is some negotiation
3 going on about the amount to be paid per pill. Would
4 that be a correct representation?

05:02:48

5 A. Correct.

6 Q. Your testimony today is that you were receiving a
7 dollar twenty five per pill, correct?

8 A. Correct.

05:03:00

9 Q. Which is why you had the amount of money in your
10 possession that you had in your possession, correct?

11 A. Yeah.

12 MS. BECKETT: If I could just have a minute,
13 Your Honor.

14 THE COURT: You may.

05:03:43

15 MS. BECKETT: Just a few more questions, Your
16 Honor.

17 THE COURT: Sure.

05:04:12

18 Q. (By Ms Beckett) When you pled guilty to the
19 charges against you, did you forfeit some of your
20 personal assets?

21 A. Items that were seized at my residence, yeah.

22 Q. And the cash?

23 A. I did forfeit the cash.

05:04:32

24 Q. Uh-huh (affirmative). Did you -- did you do that
25 in hopes it would also curry you some sort of favor

1 at sentencing?

2 A. I wanted to come clean fully. It took a couple
3 of times to do so, but ultimately I wanted to come
4 clean fully for it.

05:04:51 5 MS. BECKETT: I have no further questions,
6 Your Honor.

7 THE COURT: Thank you, Ms. Beckett.
8 Redirect, Mr. Burggraaf?

9 **REDIRECT EXAMINATION**

05:04:57 10 BY MR. BURGGRAAF:

11 Q. Can we pull back up Exhibit 22.07. Your
12 testimony was that your original agreement was to get
13 paid 25 percent?

14 A. Right.

05:05:20 15 Q. Which you calculated out to be about a dollar
16 twenty five per pill?

17 A. Right. Based on the \$5 price that he was selling
18 it at.

19 Q. So this message seems to state that at some point
05:05:34 20 you had been reduced to a dollar. Was that because
21 the price per pill had gone down, or was it because
22 he reduced the percentage?

23 A. It was one of the two but I'm not sure.

24 Q. And it looks like he was proposing here to reduce
05:05:55 25 it even more; is that right?

1 A. Right. Right.

2 Q. While noting that he was going to raise the pay
3 of his other employees; is that right?

4 A. Right.

05:06:04 5 Q. How did you feel about that?

6 A. I mean at the time I didn't know what to think
7 about it and I'm not sure what we actually spoke
8 about after, but I understood where he was coming
9 from, price of Bitcoin was dropping.

05:06:26 10 Q. Can we pull up Government's Exhibit 23.06. We're
11 back here to this document again. If we can go to
12 Page 5 and highlight that top paragraph again. Did
13 you draft that language?

14 A. No, I don't believe so.

05:07:00 15 Q. But you agreed with it for the purpose of
16 admitting guilt; is that right?

17 A. Right.

18 Q. Defense counsel asked you the question about
19 calculation. If you take that 480,000 and times it
05:07:21 20 by a dollar-twenty-five, that would come out to
21 something just over 600,000. You were paid for local
22 pill sales also, weren't you?

23 A. Right.

24 Q. Were you paid for extras though that were
05:07:40 25 included or merely the amount of money that came in

1 for the sales?

2 A. Well, that wasn't really discussed. But the
3 other exhibit that you showed where it had the
4 listing of pills pressed and amounts owed, that was
05:07:59 5 just taken into consideration only the pressed pills.
6 It wasn't subtracting extras, it wasn't subtracting
7 pills that went missing, wasn't subtracting lost
8 shipments.

9 Q. So there were a lot of variables about what
05:08:13 10 happened to the pills?

11 A. Right. Right.

12 Q. Okay. I was asking you questions previously
13 about your cooperation. You started cooperating
14 early 2017; is that right?

05:08:32 15 A. Yeah, that's what I remember.

16 Q. Why did it take so long or do you know why it
17 took so long to finally have your first interview?

18 A. No, I'm not sure. I mean I got a lawyer early on
19 and then it was like all done through my lawyer.

05:08:54 20 Q. You were asked about the equipment deliveries
21 that came in your name?

22 A. Uh-huh (affirmative).

23 Q. If you're the one who ordered them, why was Shamo
24 paying you for them? Like the pill press. If you
05:09:10 25 were the one who ordered them, why was Shamo paying

1 you for it?

2 A. I thought that she had said that those were just
3 addressed to me. But that's what I understood. I
4 mean that they were sent to me, he did order them.

05:09:27

5 Q. So you were paid merely as a drop or a package
6 receiver; is that right?

7 A. Right.

05:09:40

8 Q. Did this follow the pattern of Mr. Shamo as far
9 as other package receivers in that he would use their
10 name and address, once they received the package he
11 would pay them for it?

12 A. Yes.

13 Q. You haven't served a day in jail, correct?

14 A. Correct.

05:10:00

15 Q. So when it comes to sentencing, you can't get
16 credit for any time served unlike Mr. Shamo or
17 Mr. Crandall; is that right?

18 A. Correct.

05:10:18

19 Q. When you were asked about what you knew as far as
20 Crandall's involvement when he was out of the
21 country, you had testified that you believed he was
22 handling customer service, correct?

23 A. Correct.

05:10:34

24 Q. But you only knew that because that's what the
25 defendant Mr. Shamo told you; is that correct?

1 A. Right.

2 Q. You didn't know what the involvement of
3 Ms. Tonge, Ms. Bustin or Mario Noble, what their
4 involvement was prior to you starting to press pills;
05:10:49 5 is that right?

6 A. Right.

7 Q. But you only knew they were involved because that
8 is what the defendant told you; is that right?

9 A. Correct.

05:11:04 10 Q. If we can pull up Government's Exhibit 8.02 and
11 go to Page 2. Do you have any idea how many pills
12 are here displayed?

13 A. Um, many.

14 Q. How many are -- what was that? How many
05:11:35 15 approximate pills do you think might be there?

16 A. Eight to 10,000.

17 Q. Do you know any individual or have you heard of
18 any individual who could ingest this many pills?

19 A. No.

05:11:45 20 Q. So if this is a dealer's order, how would that
21 dealer's customers who never saw the Pharma-Master
22 page know the pills contained fentanyl?

23 A. That I don't know.

24 Q. They wouldn't know unless they saw the page?

05:12:02 25 A. Or unless the dealer told them but yeah.

1 MR. BURGGRAAF: Okay. No further questions.

2 THE COURT: Re-cross?

3 MS. BECKETT: Just briefly, Your Honor.

4 **RECROSS-EXAMINATION**

05:12:12

5 BY MS. BECKETT:

6 Q. If we could pull up that Exhibit 23.06, Page 5,
7 and highlight that top paragraph again, please.

8 Thank you. This says 480,000 fake Oxycodone pills
9 that you pressed, correct?

05:12:56

10 A. Uh-huh (affirmative).

11 Q. And you agreed to this language when you pled
12 guilty, correct?

13 A. Uh-huh (affirmative).

14 Q. But you also pressed Xanax, correct?

05:13:04

15 A. In the very beginning, yeah.

16 Q. So this just specifically only accounts for the
17 fentanyl pills, correct?

18 A. Yeah.

05:13:20

19 MS. BECKETT: I have no further questions,
20 Your Honor.

21 THE COURT: Thank you. Are we done with this
22 witness?

23 MR. BURGGRAAF: Yes, Your Honor.

05:13:26

24 THE COURT: You may step down. Thank you.
25 Should we start the next person?

1 MR. GADD: Happy to start. Your Honor, the
2 United States calls Special Agent Daniel Ashment.

3 THE COURT: Come forward and be sworn please
4 right here in front of the clerk.

05:13:40

5 THE CLERK: Please raise your right hand.

6 **DANIEL ASHMENT,**

7 called as a witness at the request of the Government,

8 having been first duly sworn, was examined

9 and testified as follows:

05:13:47

10 THE WITNESS: Yes.

11 THE CLERK: Please come around to the witness
12 box. Please state your name and spell it for the
13 record.

14 THE WITNESS: Daniel Ashment, A-S-H-M-E-N-T.

05:14:10

15 THE COURT: You may proceed, Mr. Gadd.

16 **DIRECT EXAMINATION**

17 BY MR. GADD:

18 Q. Thank you. Just for the court and for the jury,
19 I'll just let everyone know Special Agent Ashment is
20 who we anticipate will be our last witness in our
21 case-in-chief. I don't anticipate we'll get all the
22 way through his questions today, but probably Monday
23 morning.

05:14:21

24 Are you prepared to testify about your part in
25 the investigation of Mr. Shamo's drug distribution

05:14:42

1 activities?

2 A. Yes, I am.

3 Q. Can you tell us a little bit about yourself?

4 A. Yeah. My name is Dan Ashment. I was born and

05:14:52

5 raised here in Utah. I attended Utah State

6 University, got a bachelor's degree in sociology and

7 psychology then I traveled to Indiana and went to

8 Ball State University where I received a master's

9 degree in public administration with a criminal

05:15:09

10 justice concentration.

11 Then I was able to be recruited and receive a

12 job with Homeland Security Investigations or HSI.

13 HSI is an organization that has been mentioned a

14 little bit but it is an organization we have a broad

05:15:24

15 range of authority. We actually enforce over 400

16 federal laws and statutes including human smuggling,

17 human trafficking, counter proliferation

18 investigation, terrorism, and narcotics.

19 One of my specialties or things that I have

05:15:38

20 been working on lately is Dark Web investigations and

21 also packages coming from overseas containing drugs.

22 Q. Let's do just a little bit of housekeeping first.

23 Do you know Ms. Tina Young?

24 A. Yes.

05:15:56

25 Q. You met with her previously?

1 A. Yes, I have.

2 Q. She testified here?

3 A. Yes.

4 Q. Tina Young is her preferred name, correct?

05:16:02 5 A. That's correct.

6 Q. In Count 10 of the indictment, which deals with
7 her package, it lists her by initials at TM, correct?

8 A. Correct.

9 Q. That's the same person, TM is Tina Young?

05:16:16 10 A. That is the same person, yes.

11 Q. It's just her preferred name now?

12 A. Yes.

13 Q. Okay. Let's take a look at Exhibit 17.06. Can
14 you see that?

05:16:29 15 A. Yes, I can.

16 Q. Is this chart accurate?

17 A. Yes, it is.

18 Q. Let's you and I talk through some of these people
19 that we haven't touched on much yet. Starting with
05:16:41 20 Ms. Noriega, after Mr. Shamo's arrest did Ms. Noriega
21 reach out to law enforcement?

22 A. Yes. She voluntarily came to law enforcement and
23 reached out to us, yes.

24 Q. Was that before anyone on the investigative team
05:17:00 25 knew about her involvement?

1 A. It was, yeah. We didn't know who she was.

2 Q. Did you find communications between Ms. Noriega
3 and Mr. Shamo on Mr. Shamo's devices?

4 A. Yes, we did.

05:17:13 5 Q. Were you able to determine what Ms. Noriega's
6 role was within the organization?

7 A. Yes. It was someone we would classify as an
8 executive assistant, someone who helped with personal
9 things, personal details, um, as well as things
05:17:27 10 related to the drug trafficking organization.

11 Q. There was a point earlier in the trial where --
12 where there was some discussion about legal zoom
13 log-in information that belonged to Ms. Noriega. Do
14 you recall that?

05:17:40 15 A. Yes, I do.

16 Q. As part of your investigation did you see an
17 instance where Mr. Shamo requested Ms. Noriega's
18 legal zoom user name and password?

19 A. Yes, I did. It was on text messages between the
05:17:53 20 two.

21 Q. I want to look at some of those text messages. I
22 think I will move away from that one but let's look
23 at Exhibit 14.09. Are you familiar with this?

24 A. I am, yes.

05:18:07 25 Q. What is happening here?

1 A. This is text messages between Ms. Noriega and
2 Mr. Shamo.

3 Q. Who is in the blue?

4 A. That would be Mr. Shamo.

05:18:15 5 Q. And the gray?

6 A. And the gray would be Ms. Noriega.

7 Q. Could you read those for us?

8 A. Yes. It says, "645 stamp times 1,000 and then

9 Ms. Noriega replies to Mr. Shamo okay. What's your
05:18:29 10 address? I'll just have it shipped there. And then
11 there is a gif there. Mr. Shamo says also pick up

12 plan B at Costco please. I might need that, um, any

13 time today. Sooner the better. Ms. Noriega replies,

14 ha-ha, okay. I just put money in the bank so I'll

05:18:54 15 order them ASAP. Mr. Shamo responds with an emoji.

16 Ms. Noriega says, I have 900 stamps. I'll stop by

17 this other post office by my house and see if they

18 can get me another 100."

19 Q. Let's look at one more and then I want to ask you

05:19:16 20 questions about stamps. Can we look at 14.08. Is

21 this just two days later?

22 A. Yes, it is.

23 Q. Okay. Would you read those to the jury.

24 A. Yes. Ms. Noriega says, "Sup, Shamo. Mr. Shamo

05:19:32 25 replies, wanna get another 1K stamps for meh? The

1 answer is yes. Ms. Noriega responds with yes and an
2 emoji ha-ha."

3 Q. There is that word in the second box there M-E-H,
4 meh. Did you see that a lot when you were looking
05:19:53 5 through Mr. Shamo's devices?

6 A. Yes, numerous -- we saw that M-E-H numerous times
7 looking through text messages on his devices.

8 Q. Did he even name one of his log-ins for a
9 computer that?

05:20:05 10 A. Yes, it was, as Agent Slagel testified to.

11 Q. Did you get a -- did you get a sense from your
12 review of Mr. Shamo's electronics that when people
13 like Ms. Noriega bought stamps for him that he would
14 reimburse them?

05:20:20 15 A. Yes, there were numerous instances of that, yeah.

16 Q. Let's look at Exhibit 14.01. What did Mr. Shamo
17 want Ms. Noriega to do in this exhibit?

18 A. In this exhibit Mr. Shamo was asking her to
19 facilitate -- to help him with Bitcoin trades with
05:20:44 20 local Bitcoin trades.

21 Q. And what's the date on this?

22 A. The date was June 10th, 2016.

23 Q. Do you want to read the top half?

24 A. Sure. Ms. Noriega says, "On my way back. So
05:21:03 25 much traffic. Mr. Shamo replies sweet. I have a

1 Bitcoin trade at 6. If you want to see what it's
2 like you're welcome to join. I eventually want you
3 to do them." Ms. Noriega replies, "Yeah, I'll come.
4 I'm going to leave my house in a sec, do you want
05:21:20 5 coffee on my way? I switched the detail to 11 and
6 the other one to next week."

7 Q. Let me ask you a few questions about this. Um,
8 is there some risk in meeting up person-to-person to
9 trade cash for Bitcoin?

05:21:37 10 A. There is. Any time there is large amounts of
11 cash there is always a risk associated with that
12 meeting especially in this -- in these types of
13 circumstances.

14 Q. And let's be more specific. Is one of the risks
05:21:48 15 that you're going to be robbed?

16 A. Of course, yeah, most definitely.

17 Q. Assaulted?

18 A. Yes.

19 Q. Would it be safer for Mr. Shamo if he didn't have
05:21:58 20 to go in person?

21 A. It would. And it would help facilitate you to be
22 anonymous also.

23 Q. Because the buyer would never see your face?

24 A. That's correct.

05:22:11 25 Q. If we look at Exhibit 14.13. These are Telegram

1 messages now, correct?

2 A. Yes, they are. The encrypted app telegram.

3 Q. Is this also between Mr. Shamo and Ms. Noriega?

4 A. This is.

05:22:28

5 Q. This is a particularly long exhibit and I won't
6 go through all of it with you, but could you read the
7 first four and a half messages here on Page 1?

8 A. Sure. Yeah Ms. Noriega says, or Mr. Shamo says,

9 "Hey, did you order the steric acid from the link O

05:22:47

10 sent you? I needed it specifically from Pyro-Chem
11 Labs because they don't triple press the steric
12 acid." And then he gives the link. "This is the
13 link I sent. Did you order from this Pyro-Chem
14 Labs."

05:23:03

15 Q. And then Ms. Noriega clarifies at the bottom.

16 A. Ms. Noriega clarifies and says, "The Tablet Press
17 Club link you sent me a couple of days ago I haven't
18 ordered because I thought you said you needed" --

19 Q. And then it continues?

05:23:16

20 A. It continues on from there, yes.

21 Q. Much of their messages back and forth are like
22 this, right?

23 A. Yes.

24 Q. Let's look -- we'll just pick a sample. What if
05:23:25 25 we go to Page 8 and then if you could read the top

1 three for us.

2 A. Yeah. Mr. Shamo says, "We need corn starch,
3 lactose, another bucket and more steric acid ASAP.
4 Get ordering. Also, half bag Ziploc bags, the
05:23:45 5 snack-sized ones."

6 Q. Could we look at, and I hope I'm not going too
7 fast, if I go too fast please slow me down. Could we
8 look at Page 9.

9 Do you see starting in the middle there,
05:23:59 10 there are some Uline items?

11 A. Yes.

12 Q. So if we could highlight those three in the
13 middle. That's great, yeah. Can you read this off
14 as well?

05:24:09 15 A. Sure. "Need some supplies from Uline. "And then
16 it gives some product order numbers, "S117739, also
17 need S1294. You can also order bubble wrap from
18 them, S5995P. And then some more product order
19 numbers would be the sizes we need, then you can
05:24:30 20 select the color of Mylar. Choose gold and black."

21 Q. So these S numbers, is that something specific to
22 Uline?

23 A. Yes. These are product order numbers that you
24 find on Uline for specific products related to
05:24:45 25 packaging and shipping and things of that nature.

1 Q. And all of these instances we've read thus far
2 that is Mr. Shamo giving direction to Ms. Noriega,
3 correct?

4 A. Yes, they are.

05:24:55

5 Q. Let's look at just a couple more. What if we
6 looked at Page 11. And if we could pick it up with
7 the middle to the bottom starting with awesome. So
8 if we go up just a little higher. One more. That's
9 great.

05:25:16

10 A. Yeah Mr. Shamo says, "Awesome. And did you order
11 the filler from TabletPressClub.com to TJ Edwards.
12 Also," and this is the second one, "when is your
13 payday."

14 Q. And to those two questions did she give two
15 answers?

05:25:34

16 A. She did give two answers to those two questions.

17 Q. Go ahead.

18 A. Ms. Noriega replies, "Not yet just because you
19 said you would check to make sure that was right and
20 I didn't hear back from you." And that's regarding
21 the filler from Tablet Press Club. And then the next
22 answer to the question of when was her payday was,
23 "it was Sunday."

05:25:44

24 Q. And then he gives two responses, correct?

05:25:57

25 A. Yes.

1 Q. Will you read those?

2 A. Response to the first, "Okay, you gotta remind me
3 of these things, LOL. This month has been crazy."
4 And then the second one, "But yeah, it was correct."

05:26:09 5 Q. Meaning the order from Tablet Press?

6 A. For the order, yes.

7 Q. Was that in October, end of October 2016?

8 A. Yes, it was.

9 Q. Could we look -- finally, could we look at

05:26:22 10 Page 14 of this exhibit. And then here at the bottom
11 two messages he is giving her some additional
12 requests, correct?

13 A. Correct.

14 Q. I know you have done a lot of reading, would you
05:26:40 15 prefer just to summarize what he is asking for here?

16 A. Yeah. This is again Mr. Shamo ordering
17 Ms. Noriega to do several things including order
18 filler, lactose, detail his car. And then one
19 specific one was a T-shirt business. So the EIN

05:27:01 20 paper for the LLC we started, specifically the
21 T-shirt business. And this was a business designed
22 specifically to launder money earlier. And then
23 there is additional information regarding personal
24 details that Mr. Shamo is asking Ms. Noriega to do
05:27:18 25 for him.

1 Q. Groceries, have wine sent to his parents'
2 address, it looks like, things like that?

3 A. Yes.

4 Q. It wasn't all roses between Mr. Shamo and
5 Ms. Noriega though right?

6 A. No, it wasn't.

7 Q. Could we look at Exhibit 14.18. And then if we
8 could go to Page 2 and focus on the bottom eight or
9 so rows. That's great, yeah. Just to give a little
10 bit of context, and I probably should ask this before
11 we zoomed in, are these -- is this a note that was
12 found on Mr. Shamo's devices?

13 A. Yes, it was.

14 Q. On one of his phones, correct?

15 A. Correct.

16 Q. Did you see instances where Mr. Shamo would write
17 himself long running notes?

18 A. Yes. There were several instances on his phones
19 where he would write himself notes.

20 Q. In this instance that we have got highlighted up
21 on the screen now, did you notice anything that
22 relates to Ms. Noriega?

23 A. Yeah. There was one line, third line down in
24 particular, that stuck out to me.

25 Q. Would you read that out for us?

1 A. Yes. It says, it just says, starting in the
2 middle there, "Another case where I don't trust
3 Ally's friends and for sure gonna fire Gabby." And
4 Gabby was Ms. Noriega.

05:28:44 5 Q. To your knowledge was she fired?

6 A. Not to my knowledge, no.

7 Q. And I think this has been covered but just in
8 case, who is Ally?

9 A. Ally was Mr. Shamo's girlfriend at the time.

05:28:54 10 Q. And friends with Ms. Noriega?

11 A. Yes.

12 Q. Do you see right at the bottom it says, "Chris
13 owes 95K"?

14 A. Yes.

05:29:06 15 Q. Did you identify a Chris that worked with
16 Mr. Shamo?

17 A. Yes, we did. Chris Kenny.

18 Q. He was talked about earlier today?

19 A. Yes. He has been spoken of several times during
05:29:16 20 trial.

21 Q. Let's not belabor that then. What if we looked
22 at Exhibit 14.19. And then if we could look at the
23 first note on Page 2. If you could highlight that
24 top one for us. This was read previously, right?

05:29:38 25 A. That's correct.

1 Q. Did you recognize this bottom paragraph as
2 feedback?

3 A. Yes, I did.

4 Q. Specifically for what was later -- what was --
5 what was being made with fentanyl?

6 A. Yes, specifically those pill related to fentanyl,
7 yes.

8 Q. To your knowledge, based on all of your
9 investigation including and maybe specifically
10 looking through Mr. Shamo's phones and his computer,
11 do you know if Mr. Shamo ever used a single one of
12 the fentanyl pills he was making?

13 A. Not to my knowledge. I'm not aware of any in the
14 organization that used those pills specifically the
15 fentanyl pills.

16 Q. We have looked at a lot of exhibits that start
17 with 14, we call it the 14 series exhibits. Did
18 those 14 series exhibits, all of the 14 series, did
19 they come from his devices?

20 A. Yes, they did.

21 Q. And I can be more specific, Mr. Shamo's devices?

22 A. Yes.

23 Q. Two phones and the computer right here next to
24 me?

25 A. That's correct, yes.

1 Q. I want to ask you a similar question but it's now
2 about the Exhibit 21 series. Did all of the exhibits
3 that come under Exhibit 21, that series, did they
4 come from Mr. Shamo's e-mail account?

05:30:56

5 A. Yes, they did.

6 Q. If we could look for another minute at
7 Exhibit 17.06. I want to ask you about Mr. Paz. It
8 is true that Mr. Paz lied to you, correct?

05:31:22

9 A. That is correct, he did. Initially when we met,
10 yes.

11 Q. And specifically about his drug proceeds?

12 A. Yes.

13 Q. Is that common in your experience?

05:31:33

14 A. It is very common in my experience. Oftentimes I
15 talk to defendants, cooperating defendants, targets
16 of investigation, and usually it takes about an hour
17 minimum to get to the truth and I'll tell them hey,
18 um, the truth is a journey. Oftentimes it's -- it's
19 difficult for people to admit to things that they
20 have done that are wrong and that are against the
21 law, um, especially to a stranger like myself. It is
22 very common for defendants to lie initially
23 especially when we meet.

05:31:51

24 Q. And you're faced with sometimes the difficult
25 task of figuring out what's truthful and what's not,

05:32:06

1 correct?

2 A. Correct.

3 Q. Do you ever try to independently corroborate
4 something a cooperator is telling you?

05:32:18 5 A. We always try to independently corroborate.
6 Trust but verify.

7 Q. Trust but verify. Will you explain what that
8 means?

9 A. You -- you want to believe and if the things that
05:32:30 10 they're telling you are corroborated by other pieces
11 of evidence, separate from what they have told you,
12 it helps you to know that you're on the right track
13 with them. And then if you have questions or things
14 like that, again you dig for additional evidence to
05:32:46 15 try and corroborate well are they lying or are they
16 telling the truth.

17 Q. So let me just shoot a couple of examples towards
18 you. So Mr. Paz, for example, he tells you he has a
19 Bitcoin wallet. Did you corroborate that he had a
05:33:00 20 Bitcoin wallet?

21 A. We did corroborate that he had a Bitcoin wallet,
22 yes.

23 Q. You had him show it to you, right?

24 A. We did, yes.

05:33:07 25 Q. And you looked up that wallet on the blockchain?

1 A. We did look it up on the blockchain. In fact we
2 were aware of that particular wallet before we met
3 with Mr. Paz.

4 Q. That would be an example of corroborating what he
5 said?

6 A. Yes.

7 Q. And Mr. Paz's money on the blockchain came from
8 whose wallets?

9 A. From Mr. Shamo's wallets, yes. So can I explain
10 that just a little bit. So, um, we were aware of
11 Mr. Shamo's cryptocurrency wallet, specifically his
12 Bitcoin wallets. We had been tracking where they
13 were going to different places, we were aware of
14 several of them, and we saw one in particular that we
15 felt might be Mr. Paz's wallet. We also verified in
16 the end that that wallet was related to Mr. Paz
17 specifically.

18 Q. You saw the -- we don't necessarily need to look
19 at it, but you saw the three pictures of the cash
20 that Mr. Paz turned over?

21 A. Yes.

22 Q. He surrendered that to you specifically, correct?

23 A. He did, yes.

24 Q. Those pictures are accurate representations?

25 A. Yes, they are accurate.

1 Q. While we're still on this screen let's talk about
2 one or two more people. Could we talk for just a
3 minute about Julian Mausia?

4 A. Sure.

05:34:24

5 Q. Would you identify him for the jury?

6 A. Yeah. Julian Mausia is the fourth from the left
7 on the bottom row there.

8 Q. Let's look for a minute there at Exhibit 14.14.
9 Are these Telegram messages between Mr. Mausia and
10 the defendant?

05:34:47

11 A. Yes, they are.

12 Q. This is another long exhibit and I won't drag you
13 through all of it, but let's look at just one or two
14 examples. If you could read the rows of
15 communications that are shown here on the first page.

05:35:00

16 A. Sure. Mr. Mausia says, "What's up, bro. I got a
17 package here for ya. Mr. Shamo replies, yay, should
18 be another landing soon. The one you got, can I get
19 the last four of tracking?" Mr. Mausia replies,
20 "It's at my house, but I'm meeting my family for
21 lunch."

05:35:19

22 Q. This is a good -- let me ask instead of say. Is
23 this a good representation of what these messages
24 back and forth look like?

05:35:33

25 A. Yeah, there were numerous messages similar to

1 this one in the beginning here.

2 Q. Let's look at just one more. Could we go to
3 Page 5 and we'll pick it up in the second full box
4 starting with, "Hey, pack landed." And then if we
05:35:50 5 could go all the way down.

6 A. Sure. So this says Mr. Shamo speaking to
7 Mr. Mausia. He says, "Hey pack landed on 8/27. Can
8 I grab from you soon?" Mr. Mausia replies, "Hey,
9 bro, yeah, I got it, it's at my house. I'm at work
05:36:07 10 now, you need it soon?" Mr. Shamo replies, "Um, can
11 I grab it tomorrow sometime?" Mr. Mausia, "Yeah,
12 bro. I don't work so I'm free all day pretty much."
13 Mr. Shamo says, "Nice, I'll see you tomorrow. Hey,
14 will you be free in two hours or so?" Mr. Mausia,
05:36:24 15 "Yeah, man, sorry I just saw this. But yeah, I got
16 two things here for you now."

17 Q. Then if we can go to the next page, page six.
18 And then maybe we do top half, bottom half.

19 A. Mr. Mausia says, "A really heavy one just came
05:36:47 20 in." Mr. Shamo replies, "Nice. Hey, I want to see
21 if Jess can get that packed tonight. I might head
22 down tomorrow instead. That cool?" Mr. Mausia
23 replies, "Yeah man, that's chill. Just let me know,
24 dude. I just got another package in for you."

05:37:09 25 Mr. Shamo replies, "Yay. Um, I'll try and come down

1 tomorrow. I'm dragging my feet hoping Jessica can
2 grab hers." Mr. Mausia says, "Yeah, for sure.
3 Hopefully we'll get them tonight. And Mr. Shamo
4 applauds."

05:37:24

5 Q. The Jessica referred to in here, is that
6 Ms. Gleave?

7 A. Yes, it is.

8 Q. Were she and Mr. Mausia dating at the time?

9 A. Yes, they were at the time.

05:37:31

10 Q. And on this broader subject of corroboration, did
11 you and other agents seize packages from either
12 Ms. Gleave or Mr. Mausia?

13 A. Yes, we did, early on in the investigation and
14 also a little bit later in the investigation.

05:37:48

15 Q. If we could look at 17.06 one last time. Could
16 you identify for the jury Clint Perry.

17 A. Yeah. Clint Perry is on the bottom row in the
18 center kind of in between Drew and Luke Paz.

19 Q. In your investigation, did you determine what
20 role Mr. Perry played?

05:38:12

21 A. Yeah. Mr. Perry was a package receiver who was
22 recruited by Mr. Shamo to receive packages for the
23 drug trafficking organization.

24 Q. Was he interviewed?

05:38:23

25 A. Yes, he was.

1 Q. Did we seize packages?

2 A. We did seize packages from him.

3 Q. His name on it, heading to Mr. Shamo?

4 A. Yes. And he indicated that he was paid by

05:38:33 5 Mr. Shamo for receiving those packages.

6 MR. GADD: Your Honor, I'm at a pretty good
7 breaking point.

8 THE COURT: All right.

9 MR. GADD: We're going to transition from

05:38:45 10 people to subject matter. If this works for the
11 court, this may be the best spot to make a break.

12 THE COURT: It works for everybody. Ladies
13 and gentlemen of the jury, thank you again for your
14 work. Have a nice weekend and we'll see you at 8:30
05:38:59 15 Monday morning.

16 THE CLERK: All rise, please.

17 (Jury leaves the courtroom.)

18 THE COURT: We'll see you Monday morning as
19 well, Mr. Ashment. People can sit and come and go as
05:39:42 20 they please. Mr. Williams, maybe I better wait for
21 Elizabeth to get back in here.

22 (Brief pause in proceedings.)

23 MR. SKORDAS: Thank you, judge. I think if
24 it please the court that I would just have
05:41:05 25 Mr. Williams make a proffer.

1 THE COURT: That's all right.

2 MR. SKORDAS: As soon as he is through.

3 THE COURT: It always pleases the court when
4 Mr. Williams makes a proffer.

05:41:21 5 MR. WILLIAMS: I'm the court reporters dream.
6 I just keep blabbing and blabbing and blabbing.
7 Judge --

8 THE COURT: This is Mr. Scott Williams.

9 MR. WILLIAMS: I'm new to this. On the 19th
05:41:40 10 of August, just of 2019, just a couple of days ago, I
11 received -- I accepted service on behalf of Miles
12 Penrose, my client, of a subpoena for personal
13 appearance next Monday on August 26th. I received
14 that subpoena from the defense, Mr. Skordas, and his
05:42:07 15 team.

16 Mr. Penrose was not in the city at the time.
17 I was able to inform him of it, but I immediately
18 informed Mr. Skordas that I had been representing
19 Mr. Penrose in some relation to this case for I think
05:42:27 20 well over a year. I just looked at some e-mails with
21 Mr. Gadd that I think go back to February of '18.

22 Not only did I have some frustration with the
23 subpoena and the timing, but I let Mr. Skordas know
24 that he would be exercising his Fifth Amendment right
05:42:50 25 and not answering any questions at this trial if they

1 were posed to him and that is the position that he
2 takes today. I would inform Your Honor that I mean I
3 didn't catch the number of the exhibit which is the
4 -- all of the pictures of individuals.

05:43:04 5 THE COURT: 17.06.

6 MR. WILLIAMS: Thank you. 17.06 for the
7 record, which I have not seen before, has Mr. Penrose
8 on it. And that's just for the record. And when I
9 spoke with Mr. Gadd and have spoken to him a number
05:43:19 10 of times in the pendency of the case against
11 Mr. Shamo, there has been discussions that included
12 the possibility that Mr. Penrose might have some
13 criminal liability.

14 I don't think there is any good faith
05:43:32 15 argument that he wouldn't have a Fifth Amendment
16 privilege in relation to questions that would be
17 posed to him by the government or the defense.

18 So I'm making that proffer and hoping that
19 that is a sufficient record to satisfy Mr. Skordas
05:43:46 20 who did subpoena him, satisfy the government and/or
21 most importantly satisfy Your Honor without having to
22 have Mr. Penrose take the stand and utter the usual
23 mantra. He would state with regard to any question
24 that he was on advice of counsel I exercise my Fifth
05:44:07 25 Amendment right to not answer the question posed.

1 THE COURT: Thank you, Mr. Williams.

2 Mr. Skordas, do you want to say anything?

3 MR. SKORDAS: No. I think that's the record
4 I wanted. I think that Scott would also stipulate
05:44:19 5 that Mr. Penrose is in the courtroom.

6 MR. WILLIAMS: That's correct. Mr. Penrose
7 is in the courtroom. You know, I wanted -- to help
8 everybody we came over on this short notice to do
9 this. Mr. Penrose is in the courtroom. He has been
05:44:32 10 with me this afternoon. I have informed him
11 completely of the nature and the circumstances and
12 what his rights are. That's how he knows that he
13 would exercise those rights.

14 THE COURT: Thank you. Mr. Gadd, do you want
05:44:44 15 to say anything?

16 MR. GADD: No, sir.

17 THE COURT: Yeah, I'm satisfied that you have
18 your record and he doesn't need to appear on Monday.

19 MR. WILLIAMS: Thank you, Your Honor.

05:44:53 20 THE COURT: Thank you. Let's have the
21 lawyers come up here. Other people can leave, I need
22 to just raise one issue.

23 (Sidebar conference.)

24 THE COURT: I try to anticipate the turmoil
05:45:25 25 and I don't know if I'm anticipating it correctly or

1 not. But apparently Mr. Shamo is going to testify,
2 right?

3 MR. SKORDAS: It looks like it, yes.

4 THE COURT: And there is not a lot of law out
5 there. Normally they don't, usually they don't

6 testify. Usually defendants don't testify, but when
7 they do there is occasionally an issue arises about
8 what's the extent of cross based on what's the extent
9 of direct. So I don't know if that's going to arise

05:45:39 10 or not, but I'm going to give you two citations to
11 Tenth Circuit cases, one in which I was affirmed, by
12 the way. The first one is *United States of America*
13 *versus Crockett*. Is somebody taking these down for
14 both sides? It is 435 F.3d 1305, and the other one
05:46:04 15 is *United States of America versus David Banks, et*
16 *al.* These are both Tenth Circuit cases, 761 F.3d
17 1163.

18 THE CLERK: I have the citations in my e-mail
19 and I can send it to all counsel if they want.

05:46:27 20 THE COURT: Any comments on that?

21 MR. SKORDAS: No. But thank you for bringing
22 that to our attention.

23 MR. GADD: My very brief reading on this
24 issue thus far is that it is kind of a hybrid of what
05:47:01 25 is covered on direct and what I think can sometimes

1 be raised in opening statements.

2 THE COURT: Yeah, I wish it were absolutely
3 clear. It's one of those where it's kind of around
4 the edges. You also have an issue of well if the
05:47:24 5 defendant testifies then anything that may be
6 relevant to his or her credibility might be an issue
7 too on cross. But anyway, be thinking about that.
8 It may come up.

9 MR. GADD: Thank you.

05:47:35 10 MR. SKORDAS: Very well.

11 THE COURT: Have a nice weekend if that's
12 possible. I suspect it's more possible for me than
13 any of you.

14 MR. GADD: We see some light almost at the
05:47:46 15 end of the tunnel. Half a witness away.

16 THE COURT: Mr. Skordas, do you have any
17 idea? Can you estimate at all how long your case may
18 take? It sounds like this witness is going to take a
19 lot on Monday.

05:48:03 20 MR. GADD: We're moving pretty good.

21 THE COURT: This guy.

22 MR. GADD: I might have an hour and
23 20 minutes.

24 THE COURT: Oh, okay. And you'll have a
05:48:11 25 bunch of cross.

1 MR. SKORDAS: Yeah, so maybe two hours total
2 on Monday for the state or the government.

3 MR. GADD: Okay.

05:48:24

4 MR. SKORDAS: And then we could possibly be
5 done by Tuesday evening or maybe Wednesday early. I
6 don't think we have a lot of witnesses.

7 THE COURT: Okay. We've got to settle the
8 instructions but we could -- we're about there on
9 those.

05:48:37

10 MR. SKORDAS: Right.

11 MR. GADD: Yeah. Can I - can I raise one
12 last issue?

13 THE COURT: Sure.

05:48:43

14 MR. GADD: A member of our office when they
15 were coming to the courthouse this morning, thought
16 they potentially, but they don't want to make any
17 accusations, they thought potentially that one of the
18 jurors walked in with the defendant's parents. But
19 the person who told me they weren't 100 percent sure

05:49:00

20 they thought they saw them talking to each other as
21 they came in. So I wonder if on Monday in a very low
22 key manner, if the court would be willing to inquire
23 if any jurors have had any contact with either party
24 or, you know, family members. Try to make it very
25 neutral. And then if there was something we could

05:49:17

1 hear about it and address it. If it was a mistaken
2 identity case no one is the wiser.

3 MR. SKORDAS: I don't see any benefit in that
4 but I'll leave it up to you. We have all been
05:49:33 5 bumping into the jurors. Unfortunately they park in
6 the same place at the same time.

7 MR. BURGGRAAF: I don't know that that
8 statement is accurate that we all have been bumping
9 in to them.

05:49:46 10 THE COURT: Kim sleeps in the basement we can
11 all acknowledge that.

12 MR. SKORDAS: Defense team and jurors all
13 have to go through security and pay for our parking.
14 The prosecutors avoid all of that.

05:50:02 15 THE COURT: Not sure what to do about that.

16 MR. GADD: I wonder --

17 THE COURT: If it were more clear that they
18 had actually been talking and we knew which juror it
19 was, then we could get them aside and say were you
05:50:14 20 talking to the parents.

21 THE CLERK: They have been instructed that if
22 anyone talks to them -- they have been instructed
23 that if anyone speaks to them they are supposed to
24 tell us.

05:50:23 25 THE COURT: I know they have.

1 MR. GADD: Maybe the solution is just a
2 reminder with that same instruction on Monday if
3 someone has spoken.

4 THE COURT: Why don't I just repeat that.

05:50:31

5 MR. SKORDAS: That probably makes sense.

6 MR. GADD: Yeah. I'm not overly worried if
7 there was something.

8 THE COURT: It could be just good morning if
9 it is a juror.

05:50:40

10 MR. SKORDAS: Most likely.

11 THE COURT: All right. Thank you.

12 MR. GADD: Thank you all.

13 (Whereupon, court adjourned at 2:53 p.m.)
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REPORTER'S CERTIFICATE

I, Laura W. Robinson, Certified Shorthand Reporter, Registered Professional Reporter and Notary Public within and for the County of Salt Lake, State of Utah, do hereby certify:

That the foregoing proceedings were taken before me at the time and place set forth herein and were taken down by me in shorthand and thereafter transcribed into typewriting under my direction and supervision;

That the foregoing pages contain a true and correct transcription of my said shorthand notes so taken.

In witness whereof I have subscribed my name this 27th day of September, 2019.

Laura W. Robinson

RPR, FCRR, CSR, CP